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# Journal of the Senate

DURING THE

FORTY-SEVENTH SESSION

OF THE

Legislature of the State of California

1927

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FIRST PART BEGAN ON MONDAY, JANUARY THIRD, AND  
ENDED FRIDAY, JANUARY TWENTY-FIRST

SECOND PART BEGAN ON WEDNESDAY, FEBRUARY TWENTY-  
THIRD, AND ENDED FRIDAY, APRIL TWENTY-NINTH

LIEUTENANT GOVERNOR BURON R. FITTS, President of the Senate

JOSEPH A. BEEK, Secretary



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# INDEX TO DAILY JOURNALS OF THE SENATE.

		Page			Page
January	3	5	March	18	828
"	4	21	"	21	864
"	5	65	"	22	916
"	6	68	"	23	947
"	7	85	"	24	1003
"	10	98	"	25	1057
"	11	103	"	28	1110
"	12	113	"	29	1154
"	13	135	"	30	1172
"	14	143	"	31	1216
"	17	151	April	1	1260
"	18	184	"	4	1307
"	19	205	"	5	1350
"	20	241	"	6	1386
"	21	287	"	7	1441
February	23	341	"	8	1473
"	24	347	"	11	1505
"	25	353	"	12	1535
"	28	368	"	13	1567
March	1	380	"	14	1612
"	2	397	"	15	1660
"	3	415	"	18	1690
"	4	440	"	19	1747
"	7	481	"	20	1796
"	8	511	"	21	1852
"	9	544	"	22	1923
"	10	576	"	25	1968
"	11	610	"	26	2026
"	14	660	"	27	2070
"	15	719	"	28	2169
"	16	740	"	29	2279
"	17	776			





# CALIFORNIA LEGISLATURE—SENATE.

## FORTY-SEVENTH SESSION.

### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Monday, January 3, 1927.

The hour of twelve o'clock m. having arrived, Hon. C. C. Young, Lieutenant Governor and President of the Senate, called the Senators and Senators-elect to order, and announced that the forty-seventh session of the Legislature of the State of California was about to convene, and informed the Senators that the following officers of the Senate during the forty-sixth session of the Legislature were in their respective places in the Senate Chamber, as required by section 237 of the Political Code: Joseph A. Beek, Secretary; Harold J. Powers, Minute Clerk, and Joseph F. Nolan, Sergeant-at-Arms.

### PRAYER.

By invitation of the President, prayer was then offered by the Rev. Bryant Wilson of Sacramento.

### RESOLUTION.

The following resolution was offered:

By Senator Nelson:

*Resolved*, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read, and on motion of Senator Nelson adopted.

### CERTIFICATE FROM SECRETARY OF STATE.

#### STATE OF CALIFORNIA—DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over State Senators, together with those duly elected at the general election, held on the second day of November, A. D. 1926, to represent the people of the State of California at the forty-seventh session of the Legislature of the State of California, as appears from the statement of vote received from the county clerks of the several counties and the registrar of voters of the city and county of San Francisco, comprising the several Senatorial Districts of the State of California, said statement of vote being a record of and on file in my office, viz:



## HOLD-OVER STATE SENATORS.

Name	District	County or counties comprising district
H. C. Nelson	First	Del Norte, Humboldt, Trinity, Tehama.
Thomas Ingram	Third	Plumas, Sierra, Nevada, Placer, El Dorado.
Benjamin F. Rush	Fifth	Napa, Solano.
J. M. Inman	Seventh	Sacramento.
Will R. Sharkey	Ninth	Marin, Contra Costa.
M. B. Johnson	Eleventh	San Mateo, San Benito, Santa Cruz.
E. H. Christian	Thirteenth	Alameda.
Arthur H. Breed	Fifteenth	Alameda.
C. C. Baker	Seventeenth	Monterey, San Luis Obispo.
Tallant Tubbs	Nineteenth	San Francisco.
Roy Fellom	Twenty-first	San Francisco.
Thomas A. Maloney	Twenty-third	San Francisco.
J. James Hollister	Twenty-fifth	Ventura, Santa Barbara.
Sanborn Young	Twenty-seventh	Santa Clara.
J. L. Pedrotti	Twenty-ninth	Los Angeles.
Harry A. Chamberlin	Thirty-first	Los Angeles.
Cadet Taylor	Thirty-third	Los Angeles.
H. J. Evans	Thirty-fifth	Los Angeles.
Newton M. Allen	Thirty-seventh	Los Angeles.
Chester M. Kline	Thirty-ninth	Riverside, Imperial, Orange.

## STATE SENATORS-ELECT.

Name	District	County or counties comprising district
James M. Allen	Second	Modoc, Lassen, Shasta, Siskiyou.
Fred C. Handy	Fourth	Lake, Mendocino, Colusa, Glenn.
Ray Jones	Sixth	Yuba, Sutter, Yolo, Butte.
Herbert W. Slater	Eighth	Sonoma.
Frank S. Boggs	Tenth	San Joaquin, Amador.
J. C. Garrison	Twelfth	Tuolumne, Mariposa, Stanislaus, Merced, Alpine, Mono, Madera, Calaveras.
T. C. West	Fourteenth	Alameda.
Edgar S. Hurley	Sixteenth	Alameda.
Victor J. Canepa	Eighteenth	San Francisco.
P. J. Gray	Twentieth	San Francisco.
John Joseph Crowley	Twenty-second	San Francisco.
Daniel C. Murphy	Twenty-fourth	San Francisco.
Charles H. Cobb	Twenty-sixth	Fresno.
Herbert C. Jones	Twenty-eighth	Santa Clara.
Ralph E. Swing	Thirtieth	San Bernardino, Inyo.
J. I. Wagy	Thirty-second	Kings, Tulare, Kern.
Charles W. Lyon	Thirty-fourth	Los Angeles.
Frank C. Weller	Thirty-sixth	Los Angeles.
J. W. McKinley	Thirty-eighth	Los Angeles.
Edwin A. Mueller	Fortieth	San Diego.

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this third day of January, A. D. 1927.

[SEAL]

FRANK C. JORDAN, Secretary of State.

The President directed the Secretary to call the roll of hold-over Senators.

## ROLL CALL OF HOLD-OVER SENATORS.

The roll was called, and the following answered to their names:

Senators Allen, N. M., Baker, Breed, Chamberlin, Evans, Fellom, Hollister, Ingram, Inman, Johnson, Kline, Maloney, Nelson, Pedrotti, Rush, Sharkey, Taylor, Tubbs, and Young—19.

The President directed the Secretary to call the roll of Senators-elect.

ROLL CALL OF SENATORS-ELECT.

The Secretary called the roll of Senators-elect, and the following answered to their names:

Senators Allen, J. M., Boggs, Canepa, Cobb, Crowley, Garrison, Gray, Handy, Hurley, Jones, H. C., Jones, Ray; Lyon, McKinley, Mueller, Murphy, Slater, Swing, Wag, Weller, and West—20.

The President announced that the roll call disclosed twenty Senators-elect present.

The President requested the Senators-elect to immediately present themselves at the bar of the Senate in order that the oath of office might be administered to them, and that they might subscribe to the same.

OATH OF OFFICE ADMINISTERED.

The twenty members-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by the Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

ROLL CALL.

The President called the Senate to order and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—39.

Whereupon the President announced their qualification, and declared that a quorum of all the Senators was present.

LEAVES OF ABSENCE.

Senator Christian was, on motion of Senator Hurley, granted leave of absence for this day.

MOTION.

Senator Kline moved, seconded by Senator Evans, that the Senate adjourn this day out of respect for the memory of the late A. C. Murray, Assemblyman from the Seventy-seventh District.

Motion unanimously carried, by a rising vote of the Senate.

ADDRESS.

Senator Kline addressed the Senate as follows:

"Alfred C. Murray met a tragic fate on his way North to spend the holidays with his parents and the parents of Mrs. Murray in Woodland, intending after the holidays to come to Sacramento to attend the session of the Legislature. After leaving the Ridge route, he was proceeding towards Bakersfield and went about eight miles beyond the grade. He tried to pass a truck but found another car coming from the opposite direction. Two courses were before him, either to hit the oncoming automobile and injure the occupants or to ditch his own machine. Experts at the wreck told me no lives would have been lost had he taken the first alternative, but he chose the latter rather than injure innocent people and lost

his life and the lives of three members of his family. In the words of Shakespeare, 'Nothing became him so well in this life than his manner of leaving it'.

"Assemblyman Murray was elected from Riverside County. He served in the 1925 session with such signal success and ability that he was reelected without any opposition. He was an upstanding man, thoroughly conscientious and sincere in everything he did. He was that kind of a man who stands for decency in politics, and for the better things in life, and his passing is not only a loss to Riverside County but to the State of California.

"It does not seem possible that he is dead. It seems to me as if he has just gone on a journey and during this session, when I enter the Assembly Chamber and find there an empty chair, I can only think that he has just gone away. I cannot say, I will not say that he is dead. He is just away. With a smile on his face and a wave of his hand he has wandered into an unknown land."

CHESTER M. KLINE.

#### RESOLUTION.

The following resolution was offered:

By Senator Jones, H. C.:

*Resolved*, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro tempore;  
Secretary of the Senate;  
Sergeant-at-Arms;  
Minute Clerk; and  
Chaplain.

Resolution read, and on motion of Senator Jones, H. C., adopted.

MINUTE CLERK HAROLD J. POWERS AT THE DESK.

#### NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEMPORE OF THE SENATE.

The President thereupon declared nominations for the office of President pro tempore of the Senate in order.

Senator Hurley placed in nomination for the office of President pro tempore of the Senate the Hon. Arthur H. Breed of Alameda County, State Senator from the Fifteenth District.

Senators Slater, Allen, Crowley and Nelson seconded the nomination of Senator Breed.

The President put the question, "Are there any other nominations for the office of President pro tempore of the Senate?"

There being no response, the nominations were declared closed.

The roll was called, with the following result:

For SENATOR BREED—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

Whereupon the President declared Senator Arthur H. Breed duly and unanimously elected President pro tempore of the Senate for the forty-seventh session of the California Legislature.

#### OATH OF OFFICE OF PRESIDENT PRO TEMPORE.

The following constitutional oath of office was administered to Senator Breed by Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of President pro tempore of the Senate, according to the best of my ability.



## PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

MINUTE CLERK HAROLD J. POWERS AT THE DESK.

## NOMINATIONS FOR AND ELECTION OF SECRETARY OF THE SENATE.

The President declared nominations for the office of Secretary of the Senate in order.

Senator Kline placed the name of Joseph A. Beek of Balboa in nomination for Secretary of the Senate.

Senators Jones, H. C., and Nelson seconded the nomination of Joseph A. Beek for Secretary of the Senate.

The President put the question, "Are there any further nominations for the office of Secretary of the Senate?"

There being no response, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JOSEPH A. BEEK—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Holister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—38.

Whereupon the President declared Joseph A. Beek duly and unanimously elected Secretary of the Senate.

SECRETARY JOSEPH A. BEEK AT THE DESK.

## NOMINATIONS FOR AND ELECTION OF SERGEANT-AT-ARMS.

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Chamberlin placed the name of Joseph F. Nolan of Los Angeles in nomination for Sergeant-at-Arms of the Senate.

Senators Allen, Evans, Crowley and Gray seconded the nomination of Joseph F. Nolan for Sergeant-at-Arms.

The President put the question, "Are there any further nominations for the office of Sergeant-at-Arms of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JOSEPH F. NOLAN—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—38.

Whereupon the President declared Joseph F. Nolan of Los Angeles duly and unanimously elected Sergeant-at-Arms of the Senate.

## NOMINATIONS FOR AND ELECTION OF MINUTE CLERK OF THE SENATE.

The President declared nominations for the office of Minute Clerk of the Senate in order.

Senator Tubbs placed the name of Harold J. Powers of Eagleville in nomination for Minute Clerk of the Senate.

Senator Allen, J. M., seconded the nomination of Harold J. Powers for Minute Clerk.

The President put the question, "Are there any other nominations for the office of Minute Clerk of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For HAROLD J. POWERS—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

Whereupon the President declared Harold J. Powers duly and unanimously elected Minute Clerk of the Senate.

#### NOMINATIONS FOR AND ELECTION OF CHAPLAIN.

The President announced nominations for the office of Chaplain of the Senate in order.

Senator Inman placed the name of Rev. Bryant Wilson of Sacramento in nomination for Chaplain of the Senate.

Senator Taylor seconded the nomination of the Rev. Bryant Wilson for Chaplain of the Senate.

The President put the question, "Are there any further nominations for the office of Chaplain of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For REV. BRYANT WILSON—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

Whereupon the President declared the Rev. Bryant Wilson duly and unanimously elected Chaplain of the Senate.

#### OATH OF OFFICE ADMINISTERED.

The newly-elected officers of the Senate, Joseph A. Beek, Secretary; Joseph F. Nolan, Sergeant-at-Arms; H. J. Powers, Minute Clerk, and Rev. Bryant Wilson, Chaplain, appeared at the bar of the Senate, where the constitutional oath of office was administered to them by the Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District, and they subscribed to the same.

#### RESOLUTION.

The following resolution was offered:

By Senator Chamberlin:

*Resolved*, That the President of the Senate appoint a special committee of three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

#### APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Chamberlin, Young and Fellom as the special committee to call upon the Governor and notify him of the organization of the Senate and its readiness to receive his communications.

## RESOLUTION.

The following resolution was offered:

By Senator Murphy:

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

President pro tempore, Arthur H. Breed.  
Secretary of the Senate, Joseph A. Beek.  
Sergeant-at-Arms, Joseph F. Nolan.  
Minute Clerk, Harold J. Powers.  
Chaplain, Rev. Bryant Wilson.

Resolution read, and on motion of Senator Murphy adopted.

## APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Murphy, Jones, H. C., and Evans as a committee from the Senate to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State.

## RESOLUTION.

The following resolution was offered:

By Senator Tubbs:

*Resolved*, That the Standing Rules of the Senate of the forty-sixth session of the Legislature of the State of California be and they are hereby adopted as the temporary rules of the forty-seventh session of the Senate.

Resolution read, and on motion of Senator Tubbs adopted.

## TEMPORARY RULES OF THE SENATE.

*Convening and Order of Business—Hour of Meeting.*

1. The sessions of the Senate shall be daily (Sundays excepted) beginning at eleven o'clock a.m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of one o'clock p.m. until the hour of two o'clock p.m., unless otherwise ordered by a vote of the Senate.

*Calling to Order.*

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

*Order of Business.*

3. The order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading, and Reference of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

*Presiding Officers of the Senate—The President.*

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.



*The President Pro Tempore.*

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

*Presiding by Senators.*

6. The President or President pro tempore, in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

*Committees of the Senate—Appointment of Committees.*

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

*List of Standing Committees.*

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, twelve members.
2. Banking, nine members.
3. Building and Loan Associations, five members.
4. Civil Service, five members.
5. Commerce and Navigation, nine members.
6. Conservation, seven members.
7. Constitutional Amendments, nine members.
8. Contingent Expenses, three members.
9. Corporations, nine members.
10. County Government, eleven members.
11. Drainage, Swamp and Overflowed Lands, nine members.
12. Education, fifteen members.
13. Elections, eleven members.
14. Engrossment and Enrollment, three members.
15. Federal Relations, five members.
16. Finance, eighteen members.
17. Fish and Game, fifteen members.
18. Governmental Efficiency, nine members.
19. Hospitals and Asylums, nine members.
20. Insurance, eleven members.
21. Irrigation, seven members.
22. Judiciary, thirteen members.
23. Labor and Capital, eleven members.
24. Manufactures, five members.
25. Military Affairs, five members.
26. Mines and Mining, five members.
27. Motor Vehicles, thirteen members.
28. Municipal Corporations, eleven members.
29. Oil Industries, nine members.
30. Prisons and Reformatories, nine members.
31. Public Charities and Corrections, seven members.
32. Public Health and Quarantine, eleven members.
33. Public Morals, seven members.
34. Public Utilities, eleven members.
35. Reapportionment, fifteen members.
36. Revenue and Taxation, thirteen members.
37. Revision and Printing, three members.
38. Roads and Highways, thirteen members.
39. Rules, five members.
40. Universities and Teachers Colleges, nine members.

*Schedules for Committee Meetings.*

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

*Quorum of Standing Committees.*

10. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

*No Committee Expenditures Permitted.*

11. No member of any committee shall, except by resolution of the Senate, be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the constitutional recess, be permitted to visit State institutions for which appropriations are asked, and shall be allowed his actual expenses while on such business.

*Special Duties of Certain Committees—Committee on Engrossment and Enrollment.*

12. All Senate bills, constitutional amendments, and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The indications of new matter, omissions, or amendments appearing upon the printed bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

*Engrossing and Enrolling Bills.*

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

*Committee on Rules.*

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

*Committee on Contingent Expenses.*

15. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.

*Committee on Revision and Printing.*

16. The Committee on Revision and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

*Other Senate Officers—Secretary of the Senate.*

17. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

*Custody of Bills and Papers.*

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

*Sergeant-at-Arms of the Senate.*

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

*Distribution of Printed Matter.*

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

*Preparation and Introduction of Bills—Introduction and First Reading.*

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

*Joint and Concurrent Resolutions and Constitutional Amendments.*

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur *after* they have been reported by committee.

*Introduction of Bills by a Committee.*

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

*Introduction of Bills After the Constitutional Recess.*

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, nor shall the number to be introduced by any one member be limited.

*Bills in Committees—Reference of Senate Bills.*

25. At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

*Order of Reference*

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

*Reference with Special Instructions.*

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend.

*Reference of Assembly Bills.*

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

*Reference of Appropriation Bills.*

29. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for adjournment sine die shall in all cases, whether originating in the Senate or coming from the Assembly, be referred to the Committee on Finance.

*Notice to Author of Bill.*

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.



*Committee Amendments to Bills.*

31. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

*Reports of Committees.*

32. All committees shall act upon bills referred to them as soon as practicable and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

*Order of Considering Bills—Order of Making File.*

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.

*The General File.*

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

*Special Order.*

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

*Three Readings of Bills.*

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision).

*Ordering Bills to Third Reading.*

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

*Bills Considered During Last Seven Days.*

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll call.

*Questions and Motions—Precedence of Motions During Debate.*

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

*Provided, however*, that during a call of the Senate, it may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

*Amendment or Division of Question.*

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The

rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

*Restrictions as to Amendments.*

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

*Vote Required for Amendments.*

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

*Procedure of Debate—Seconding and Announcement of Motion.*

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary before the same shall be debated.

*Regulations as to Speaking.*

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

*Securing of the Floor.*

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

*Order in Debate.*

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

*The Previous Question.*

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

*Executive Session.*

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

*Voting by Senate—Calling Ayes and Nays.*

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

*Excuse From Voting.*

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

*Reconsideration of Vote.*

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator: *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution, has been passed or defeated, fourteen votes to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

*When Bill Is Held for Reconsideration.*

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

*When Bill Is Recalled for Reconsideration.*

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

*Debate on Motion to Reconsider.*

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

*Messengers and Other Papers—Messengers from the Governor.*

55. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

*Messengers from the Assembly.*

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

*Consideration of Assembly Messages.*

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

*Reading of Papers.*

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

*Contents of Senate Journal—Proceedings to be Printed.*

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

*Titles of Bills to be Printed.*

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

*Statement of Petitions to be Printed.*

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

*Other Matter to be Printed.*

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.



*Legislative Printing—Number of Bills Printed.*

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

*Number of Journals Printed.*

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

*Number of Other Documents Printed.*

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

*Excess Printing Only on Written Order.*

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

*Form of Printing Amendments.*

67. All bills amended shall immediately be reprinted; the new matter added by any amendments to be enclosed in heavy brackets, and the omission of any matter to be indicated by the insertion of heavy parentheses.

*The Senate Chamber—Admission Within Bar of Senate.*

68. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

*No Lobbying in Senate Chamber.*

69. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

*Maintaining of Order.*

70. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

*Smoking Within Senate Chamber.*

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

*Miscellaneous Provisions—Duties of Members.*

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for non-attendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ONE.

Senator Boggs asked unanimous consent for the consideration of Senate Concurrent Resolution No. 1, without reference to committee.

Unanimous consent granted.

## SENATE CONCURRENT RESOLUTION No. 1.

Relative to inaugural ceremonies.

*Resolved by the Senate, the Assembly concurring.* That a committee of three members of the Senate be appointed to confer with a committee of four from the Assembly, to make arrangements for the inaugural ceremonies, said committee to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises. Any expenses to be paid equally by the Senate and Assembly out of their several contingent funds, and not to exceed in the aggregate the sum of \$500.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, and West—33.

NOES—None.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

## APPOINTMENT OF COMMITTEE.

Pursuant to the provisions of Senate Concurrent Resolution No. 1, the President of the Senate appointed Senators Boggs, Hollister and Nelson as a committee to confer with a committee of four from the Assembly to arrange for the ceremonies in connection with the inauguration of Governor-elect C. C. Young and Lieutenant Governor-elect Buron R. Pitts.

## RESOLUTION.

The following resolution was offered:

By Senator Swing:

*Resolved.* That a special committee of three members, consisting of Senators Crowley, Breed and Lyon, be and they are hereby appointed to provide a list of attaches to be appointed for the Senate and to designate the persons to be appointed to such positions.

Resolution read, and on motion of Senator Swing adopted.

## APPOINTMENT BY THE SERGEANT-AT-ARMS.

SENATE CHAMBER, SACRAMENTO, January 3, 1927.

MR. PRESIDENT: I beg leave to report that I have this day appointed Harry Caro bookkeeper to the Sergeant-at-Arms, and respectfully ask the consent of the Senate thereto.

JOSEPH F. NOLAN, Sergeant-at-Arms.

Senator Crowley moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

For HARRY CARO—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, and West—33.

## REPORT OF SPECIAL COMMITTEE.

The following special committee report was received and read:

SENATE CHAMBER, SACRAMENTO, January 3, 1927.

MR. PRESIDENT: Your special committee appointed to notify the Governor of the organization of the Senate and that the Senate is now ready to receive any communication he may have to make, respectfully reports that it has communicated with the Governor as directed.

CHAMBERLIN,  
YOUNG,  
FELLOW,  
Committee.

## REPORT OF SPECIAL COMMITTEE.

The following special committee report was received and read:

SENATE CHAMBER, SACRAMENTO, January 3, 1927.

MR. PRESIDENT: Your special committee appointed to notify the Assembly of the organization of the Senate and that the Senate is now ready to receive any communication the Assembly may have to make, respectfully reports that it has communicated with the Assembly as directed.

MURPHY,  
EVANS,  
JONES, H. C.,  
Committee.

## RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Crowley, the President declared the Senate at recess until the hour of one o'clock and twenty minutes p.m.

## RECONVENED.

At one o'clock and twenty minutes p.m., the Senate reconvened. President pro tempore Arthur H. Breed in the chair. Secretary Joseph A. Beek at the desk.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

Speaker, Hon. Edgar C. Levey.  
Speaker pro tempore, Hon. William M. Byrne.  
Chief Clerk, Arthur A. Ohnimus.  
Minute Clerk, Louis F. Erb.  
Sergeant-at-Arms, William J. McQuillan.  
Chaplain, Rev. A. Watson Brown.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

## RESOLUTION.

The following resolution was offered:

By Senator Crowley:

WHEREAS, Since the members of this Senate last assembled in extraordinary session but a few weeks ago, one of the officers of this body, Mr. John T. Macdonald of San Francisco, has been called to the great beyond; and

WHEREAS, John Macdonald has through years of faithful service to this body endeared himself to its members and his fellow officers. Being known for his devotion to duty, his earnest interest in the welfare and dignity of the Senate and his unflinching courtesy; therefore, be it

Resolved, That the Senate declares its sense of loss in his death, and pauses this moment in its labors to pay him this tribute; and be it further

Resolved, That the Secretary be and he is hereby instructed to forward copies of this resolution to the family of the late John T. Macdonald.

Resolution read, and on motion of Senator Crowley adopted.

MOTION.

Senator Slater moved, seconded by Senator Crowley, that the Senate adjourn this day out of respect for the memory of the late Senators W. F. Gates and John Creighton, and the late Assistant Secretary of the Senate John T. Macdonald.

Motion unanimously carried, by a rising vote of the Senate.

ADJOURNMENT.

At one o'clock and fifty minutes p.m., on motion of Senator Slater, the President declared the Senate adjourned out of respect to the memory of the late Senators W. F. Gates and John Creighton, the late Assemblyman A. C. Murray, and the late Assistant Secretary of the Senate John T. Macdonald.

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IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, January 4, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

President pro tempore Arthur H. Breed in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 3, 1927, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

SECOND BIENNIAL MESSAGE OF  
GOVERNOR FRIEND WM. RICHARDSON.

*To the Senate and Assembly of the State of California.*

The State government during the past four years has been conducted on a business basis with the practice of strict economy and the highest efficiency. This is proved by the fact that the surplus in the General Fund has been built up from practically nothing to more than twenty million dollars without increasing the rate of taxation and without impairing any State function. This is an achievement unparalleled in California history and is proof positive that pledges made previous to my election have been redeemed in full and that the accomplishment more than exceeds the promises made.

The State of California has never been in better financial condition and the various departments of State government have never been on a more efficient and businesslike basis. When I took office, the surplus in the General Fund had been



exhausted and it was necessary that the strictest economy should be practiced in the administration of the State government. The 1923 budget was an economy budget and the figures of actual cost of government have proved that it made a saving compared with the budget of 1921 of twelve million dollars. This great surplus has been built up despite the fact that during the past four years there was an increase of \$16,498,457.47 in the fixed charges of State government, an emergency expenditure of \$2,950,359.17 for foot and mouth disease, a great increase in the population of the various State institutions, and a building program of \$5,510,450.46, the greatest amount appropriated in any biennium in the history of the State. In addition to this the sum of \$1,983,000 was appropriated for permanent improvements on the San Francisco harbor front, out of the San Francisco Harbor Improvement Fund. The surplus in the General Fund is now estimated by the State accountants to be \$20,420,923.81. The surplus in the General Fund on June 30, 1923, was exactly \$30,371.39 and in September of that year it was necessary to borrow from other funds to prevent the registration of warrants. My administration refused to compromise a suit for franchise taxes due from corporations and finally won a complete victory in the courts and turned \$6,316,364.16 into the treasury. This money was conserved by me and not permitted to be squandered. Building up this great surplus required constant resistance to spendthrifts and the vetoing and suppression of legislative bills carrying millions of dollars in appropriations.

#### A BUSINESS ADMINISTRATION.

In making selections for men to head the various departments, I have been fortunate in securing business men of the highest integrity and ability. While insisting that economy and efficiency must be exercised in every department, I have made it a rule not to interfere in the details of the management of any department. In short, the present government has been a business government and not a political government. I have maintained in office a number of heads of departments who served under the previous administration for the reason that I was looking for service to the State and not to reward friends or politicians. I want to express my appreciation generally to the splendid officials who have so faithfully served the State during my term of office.

#### BOARD OF CONTROL.

The functions of the Board of Control during my term of office have included the compilation of two biennial legislative budgets; the supervision of the expenditure of \$234,611,000; the purchase and sale of bonds valued at \$12,664,500; the auditing of the accounts of all the departments, boards, bureaus, commissions, and institutions; the complete reorganization of the accounting system of the State Highway Commission, and the State Harbor Commission of San Francisco; the payment of claims aggregating \$412,916,681; the approval of contracts and leases; the purchase of supplies for the different departments, totaling \$21,258,832; the supervision of a constructive building program at the hospitals, homes for the feeble-minded, penitentiaries, teachers' colleges, corrective schools and the Industrial Home and School for the Blind, involving the expenditure of between eight million and nine million dollars and necessitating thousands of miles of travel by the members of the board; frequent hearings for the adjudication of claims; conferences with every department, including regular monthly conferences with the Civil Service Commission; the purchase of farm lands for Agnew's State Hospital; an extended public hearing on the Folsom Dam site; and almost innumerable other duties connected with the financial policies of the State. The Board of Control is practically the right arm of the Governor in the management of State finance. I have been particularly fortunate in securing members of this board who have shown fidelity to State service, business ability, and strict integrity. This board has saved the taxpayers great sums by its insistence on strict economy.

#### DEPARTMENT OF AGRICULTURE.

This department is functioning with the highest efficiency and has been of untold benefit to the agricultural interests of the State. The director is in full sympathy with the farmers of California and has shown great energy and skill in handling his difficult position. During the last two biennial periods, this department has been nearly fifty-five per cent self-supporting as against forty per cent prior to that time. This department has tried in every way to be of service to the farming interests of the State and to assist in promoting this essential industry and has had my earnest cooperation, as I fully realize the tax burden under which the farmers are struggling. The unofficial Agricultural Council, composed of representative farmers, was appointed by me and has been of great benefit to the department. Among the outstanding achievements has been the complete eradication of the dread foot and mouth disease among cattle and other live stock in California.

The total expenditures for eradication and indemnities of the hoof and mouth disease have been as follows: Indemnities \$2,239,106; expenditures for eradication \$711,253.17, making a total of \$2,950,359.17. This is only the State's portion, the federal government expending a like amount. These expenditures were financed by a legislative claim for indemnities in amount of \$2,239,106; by \$130,192.33 from the appropriations of the Department of Agriculture; and by \$598,061.84 from the

Emergency Fund of the State. Had it not been for the economy practiced by me, it would not have been possible to expend this great sum without increasing tax rates.

#### CALIFORNIA NATIONAL GUARD.

In no department of the State has there been a more marked improvement than in the National Guard. The Adjutant General selected by me is a military and business man who has brought to this department a degree of efficiency previously unknown in the history of the Guard. The enrollment in the National Guard has increased from 3125 to 5258 during my term of office and this has been accomplished with a reduction in the cost of the maintenance of the department. The National Guard of California, as now constituted, is an efficient military organization, ready for action within a few hours' time. While fortunately it has not been necessary to call out the National Guard to repress any lawlessness during the past four years, still the Guard has been ready and, I feel, has been a moral influence to restrain the lawless element. Every anarchist, law violator and criminal in California knows that back of the police force in the various communities is the National Guard of California, equipped, manned and ready to maintain peace and order within the boundaries of the State. Probably nothing that I have done in my program of law and order has gained for me stronger disapproval of the Bolshevik element than the building up of the National Guard and having it on a military basis for protection to the lives and property of the people.

#### CIVIL SERVICE COMMISSION.

The Civil Service Law and the merit system has had my staunch approval and I have always supported the Civil Service Commissioner in his efforts to maintain a strict administration of the law. There has been a complete elimination of the political spoils system. The number of temporary appointments has been reduced one-third. Notwithstanding the increase in the work of this department and the increase in efficiency, there has been a reduction in the cost of operation. During the past four years no funds have been solicited or accepted for any political campaign purposes.

#### CALIFORNIA HIGHWAY COMMISSION.

This commission has been put on a business basis and efficiency has been the motto. I was particularly fortunate in being able to secure the services of three high class business men to serve on this commission and to select an able engineer, whose sole object is to build good roads and who has no political connections whatever. During the past four years there has been a marked improvement in the administration of this department, of which the splendid work done on the highways is a testimonial. Visitors from other states are strong in their praises of the road improvements in California. In every part of the State are evidences of the splendid work done.

The construction of highways by prison labor has proved a success where the convicts are used in isolated sections and on work requiring much hand labor. The all-year Merced-Mariposa road into the Yosemite Valley was opened last year and is a good illustration of the work done by convicts. Convicts have also done good work on the Smith River road in Del Norte County.

Owing to cheap and faulty construction previous to my administration, it has been necessary during the past four years for the State Engineer to reconstruct, widen and thicken many of the highways of the State. I have stood staunchly against extending the highway system and both after the 1923 and 1925 sessions of the Legislature vetoed a number of bills attempting to put purely local roads into the State system. I have striven to prevent the Legislature from putting the roads on a "pork barrel" basis.

At the present time the State of California is spending about fifteen million dollars annually on State roads and I believe that this is all the money that can be spent wisely and economically. The people at the last election voted against two measures providing for additional revenues for State road building, thus showing that they are satisfied with the amount of the present expenditures and the present rate of highway construction, and rebel at added tax burdens being placed upon them. Should there be an increase in the amount of money available for State highway purposes, I predict that a large number of unimportant county roads will be forced into the State system, thus adding to the tax burden of the people and doing no good to main line roads. At the present time there are 6500 miles of roads in the State system and at least 1500 miles of these are "pork barrel" roads pure and simple, and should never have been taken into the system. The people of California will be building roads for many decades and the present burden of fifteen million dollars a year is all that the taxpayer can stand.

#### EXECUTIVE PROCLAMATIONS.

The Governor is authorized in certain cases to issue proclamations and I have kept strictly within the law and refused to issue any proclamations unauthorized by statute. A great abuse has grown up in California in the issuing of unauthorized proclamations by officials. I would suggest that the statute be amended so as to prohibit city, county and State officials from issuing any proclamations unwarranted by law.

A proclamation should be a solemn affair issued by legal authority and for the public benefit. To issue proclamations declaring certain days in the interest of animals, fruits and vegetables, or for special propaganda is to bring the law into disrespect and to make the issuers of such proclamations ridiculous. There have been no proclamations issued by me setting apart "Onion Day," "Horseradish Day," "Cauliflower Day," "Jack Rabbit Day," or "Squander Your Money Day."

#### APPOINTMENT OF JUDGES.

Sixty-four judges have been appointed by me during the past four years. This has required considerable time and study as I have made appointments solely on merit without regard to personal or political considerations. I have appointed two chief justices of the Supreme Court, six associate justices of the Supreme Court, seven justices of the appellate court, thirty-five judges of the superior court of various counties, and fourteen municipal judges of the cities of Los Angeles and Long Beach.

To maintain respect for the law, it is necessary that there should be judges of the courts who have the highest character and integrity besides the necessary legal learning and judicial poise. I am particularly proud of the men whom I have elevated to the judiciary of California. The appointments of these judges have been part of my program of law and order for the benefit of the whole people and the protection of their lives and property.

#### EXTRADITION OF CRIMINALS.

For many years extradition and interstate request matters have been handled in the Governor's office in a hit or miss manner. Each district attorney made an application for the return of fugitives from justice according to his own individual ideas with the result that fifty-eight different kinds of requests and extraditions were being sent from California. Moreover, in some of the smaller counties, district attorneys, being unfamiliar with the method of returning fugitives from justice, failed to make applications with the result that some guilty persons went unpunished.

I have standardized applications and for the first time in the history of the State, have made public rules governing applications for the rendition of fugitives from justice. I have had prepared and printed and distributed to all district attorneys in the State, forms for the making of application and also forms for the proper certification of all papers attached to applications which form the basis for the return of fugitives to this State. The result has been uniform requests and extraditions from this State. Less difficulty has been experienced in returning fugitives from justice and the expense to State agents has been reduced. California is now recognized as among the first of the states in the Union in the matter of strict compliance with constitutional and legal requirements in the rendition of fugitives.

#### EXECUTIVE CLEMENCY.

In a separate message, I have submitted to you my acts of executive clemency during the past two years. Pardon matters have occupied much of my attention. I have taken the position that the pardoning power is given to the Governor solely to prevent a miscarriage of justice and to be used only in extraordinary cases.

Executive clemency should not be exercised to defeat the ends of the law, to override the verdicts of juries or the decision of courts. Only by strict enforcement of the laws and the elimination of sentimentalism in meting out punishment can law and order be maintained. I have had constantly in mind the desire to protect the women and children of California in their homes. If sentimentalists and hysterical writers should succeed in their endeavors, shotgun brigades would be necessary in every community and no home would be safe. The stern enforcement of the law and adequate punishment of criminals is necessary to protect our citizens.

I have made it a rule to require written statements and not to listen to oral appeals. All statements properly belong in the files where they can be reviewed calmly in connection with other matters regarding the case. The power of the Governor should, in my opinion, be used only in cases where the prisoner is innocent and the jurisdiction of the court to correct the mistake has expired. I have issued no reprieves for persons to be hanged, except in one case where the murderer was under eighteen years of age and the law prohibits hanging under that age.

The people have by law provided for the death penalty and the personal views of the Governor should not be exercised to thwart the verdict of the juries, the decisions of courts and the will of the people as expressed by the law. Those who oppose capital punishment should resort to the Legislature or the initiative to change the law and should not importune the Executive to set aside the will of the people by acts of wholesale jail delivery.

#### STATE PRISONS.

What can be accomplished through the application of principles of economy and efficiency and good business practice is nowhere better illustrated than in the case of the State prisons.

Prior to my term of office much was said about the moral uplift to prisoners and many public speeches were delivered on the reformation of converted criminals, but little was done within the prison walls for the material benefit of the prisoners. Buildings and equipment had been permitted to fall into a sad state of disrepair,



particularly in San Quentin Prison. No provision was made for the future to take care of the rapidly growing increase in the prison population. The result of the one-sided reform policy in the maintenance of the State prisons, has been that the two penitentiaries, at San Quentin and Folsom, are now greatly overcrowded. At San Quentin a cell building started in 1908 was abandoned one-half completed in 1912.

During my administration and upon my recommendation an appropriation was made to complete this building. In addition a fine new women's building is nearing completion, which will not only relieve the overcrowded conditions of the women's ward but will provide for the industrialization of the women's department.

The general crime conditions and awakening throughout the State to the necessity of more vigorous prosecution of crime has resulted in a marked increase in the prison population. At San Quentin, the number of prisoners has increased from 2450 to about 3400; at Folsom from 964 to 1750. In addition there have at all times been several hundred prisoners at the several highway prison camps. Notwithstanding the increase in the number of convicts strict discipline and better moral conditions exist at both of the prisons than prior to 1923. The men are better clothed and far better fed than ever before. As a result of the application of economy and efficiency, the per capita cost at San Quentin for the complete care and maintenance of prisoners has been reduced twenty-eight per cent and at Folsom nineteen per cent, during the past four years.

Other improvements at San Quentin that might be noted are the elimination of so-called "Crazy Alley"; the building of a new shed so that prisoners while waiting in line for the mess hour, do not have to stand in the rain during bad weather; the completion of the west wing of the prison; better sanitary conditions; the closing of a public road running through the prison grounds, which has permitted the throwing of dope and possibly other articles over the prison walls; the fitting up of a waiting room for the accommodation of visitors to the prison; and other improvements for the benefit of the prisoners.

#### BUREAU OF CRIMINAL IDENTIFICATION.

The State Bureau of Criminal Identification and Investigation has been of material advantage to the various law enforcement agencies of California by keeping a record of the finger prints of criminals and by assisting in the identification of those charged with crime. During the past four years, over 40,000 identifications have been made. This great volume of business has been conducted with a very slight increase in overhead expenses. The department has rendered valuable service to the cause of law and order and the superintendent is entitled to much credit.

#### FISH AND GAME COMMISSION.

Prior to my administration the Fish and Game Commission had been conducted for years in a most unbusinesslike and haphazard manner. The commission was actually expending more than was taken in through fees and obtaining small results so far as the purposes of the commission in the carrying out of the various acts for the preservation of wild game and fish were concerned. The administration of the commission was for the benefit of a few, rather than for the big majority of sportsmen of the State. Moreover, an important food supply of this State was being impaired through insufficient regulation of fish canneries and fertilizing companies.

I induced one of the most successful and best known business men in California to accept an appointment on the commission together with a well-known jurist. The result has been the protection of the interests of the people of California, at the same time affording greater opportunities to the sportsmen of the State. I am very proud of the record of the Fish and Game Commission during the past two years.

#### VETERANS' WELFARE BOARD.

The businesslike manner in which the work of the Veterans' Welfare Board has been conducted was undoubtedly largely responsible for the vote of approval given by the people to the veterans' bond issue at the last election, this being the only tax measure approved by the people. I have been fortunate in securing men on this board of ability and thorough loyalty to the interest of veterans. Prior to my administration, the overhead expense in the administration of this board was \$1459. In 1925 the cost was reduced to one-eighth. The percentage this year will be about the same as 1925. This board has invested the great sum of \$10,867,808.28 in farms and homes in California for veterans. All of this amount is being repaid under the terms of the Veterans' Act and the amount of delinquency has been only three-tenths of one per cent.

#### DEPARTMENT OF PUBLIC WORKS.

Water development, water conservation and irrigation have received much of my attention. The future of the state largely depends upon the development of water resources. I have done all I could to bring about the fullest possible utilization of the waters of the Colorado River. This depends upon the construction of a dam at Black or Boulder Canyon, which, by reason of the enormous estimated cost, can only be undertaken by the federal government.

Under my direction, the late W. F. McClure, former State Engineer, and the present State Engineer, Paul Bailey, have been working for more than two years on plans for the bringing of water from the Colorado River dam to points in the

southern part of the State. I cannot but support the National Education Association for this project and much for the sentiment has been created throughout the country at this meeting. I have endeavored to keep this question out of politics. There is no opposition to California at the building of the dam.

I believe that the Senate and Assembly should have unhesitatingly carried the Colorado River Compact, but I hope that failure to do so will not prevent the passage of proper legislation in Congress.

I have presented the joint action of the water resources of the State and signed a bill appropriating \$94,125 for that purpose. A report will be submitted to the Senate tomorrow showing the present condition of our irrigation. The report, I hope, will point the way to remove the barrier upon development of those areas having an inadequate natural water supply and will, I trust, lay a scientific basis for the fullest possible utilization of the waters of the State. Storage reservoirs for irrigation and domestic purposes, generating of power and control of floods should be planned.

During my term of office the Kern River, Buena Vista, Tulare Lake, San Joaquin River and Tulare Lake Basin water storage districts have been formed, comprising an aggregate of 1,075,000 acres. There is now under consideration the formation of the Kern River Water Conservation District, comprising approximately one million acres and storage at the Pine Flat reservoir site of 240,000 acre-feet is planned. Since January 1, 1923, twenty-four irrigation districts have been fully organized, aggregating 402,052 acres.

#### DIVISION OF IRRIGATION.

The Division of Engineering and Irrigation of the Department of Public Works has been carried on in a businesslike manner. The volume of work has increased approximately twenty per cent while the expenditures have decreased three per cent. Approval of the construction of thirty-two dams and nine bridges over navigable streams has been given. New works for the protection of river banks from flood damage have been devised and various investigations have been made. Work on the Santa Ana River watershed and basin in cooperation with Orange, Riverside and San Bernardino counties has resulted in conserving the water supply. A survey to prevent damage from salt water in the agricultural districts along the lower San Joaquin and Sacramento rivers has also been made.

#### DIVISION OF WATER RIGHTS.

The work of the Division of Water Rights, based upon the number of applications passed upon, has increased seventy-eight per cent during the past four years, and during the same time unit cost of operation decreased thirty-five per cent. Action on water matters has been expedited and details minimized through the elimination of unnecessary red tape and the application of economy and efficiency.

During the past four years, 3123 applications have been acted upon as compared with 1755 applications in the preceding four years and 892 in the next preceding four years. By increasing the rate of action from 28 to 67 per month since January 1, 1923, the number of pending matters before the Division of Water Rights has been reduced from 945 to 647.

#### DIVISION OF ARCHITECTURE.

The greatest building program in the history of the State has been carried on during the past two years as the 1925 budget contained more than six million dollars for the erection of new buildings at the various State institutions. During the four years of my administration, the construction of State buildings represents the lowest cost of only 5.26 per cent as against a figure of nearly three times that much for private construction. The State Architect has served the State faithfully and well.

#### DEPARTMENT OF INSTITUTIONS.

The expense of maintaining the Department of Institutions has been reduced seventeen per cent during the administration. The total annual expense for this department has been \$900,032, as compared with \$1,094,167, during the previous four years.

The work of this department is the business management of the various State institutions, including State prisons and reform schools. One of the new branches of humanitarian work undertaken by this department during the past four years has been the work among the blind. Field work is visit the blind in their own homes and instruct them in various kinds of work so they can be self-supporting.

During my administration there has been more building and improvement at the various State institutions than at any previous period in the history of the State. Much needed equipment and additional buildings have been erected at all of the State hospitals and I believe it can be truthfully said that the State institutions have never been better operated or conducted in a more efficient and businesslike way, than at the present time.

During the period July 1, 1923, to June 30, 1927, there will be an approximate saving in the management of the State institutions of \$2,924,000 over the four previous years. In determining whether or not the institutions of the State are efficiently managed, the per capita cost of inmates should be taken into consideration.

In basing this estimate the actual population and expenditures for the year July 1, 1925, to June 30, 1926, were used for the current fiscal year which is not yet completed. In the seven State hospitals during the period July 1, 1919, to June 30, 1923, there was an average yearly inmate population of 12,279 with a total expenditure for support and maintenance of \$13,935,810.46 with an average yearly inmate per capita cost of \$283.74. During the period July 1, 1923, to June 30, 1927, the average yearly inmate population is estimated at 13,963. The total expenditure for support and maintenance is estimated at \$14,040,427.24 and the average yearly inmate per capita cost at \$251.38, being a decrease in the per capita cost for the last four years of \$32.36. This decrease in the per capita cost, multiplied by the average inmate population of 13,963, equals a decrease in cost based on per capita expenditures of \$1,806,672.57. While expenses have decreased the inmates have been better cared for, fed and housed than at any other time in the State's history. This reduction has been accomplished by the application of business principles and the elimination of politicians and spendthrifts. Superintendents and other officials have been selected upon merit.

On the same basis the decreased cost based on per capita expenditures for the prisons would be \$554,203.26, the correctional schools \$545,067.68, and the two homes \$18,233.75.

The following is a table setting forth the above in detail:

	Average yearly inmate population	Support and maintenance expenditures	Average yearly inmate per capita cost
<b>HOSPITALS—</b>			
July 1, 1919-June 30, 1923-----	12,279	\$13,935,810 46	\$283 74
July 1, 1923-June 30, 1927-----	13,963	14,040,427 24	251 38
			\$32 36
<b>PRISONS—</b>			
July 1, 1919-June 30, 1923-----	2,998	\$3,465,441 96	\$288 98
July 1, 1923-June 30, 1927-----	4,238	4,344,593 03	256 29
			\$32 69
<b>CORRECTIONAL SCHOOLS—</b>			
July 1, 1919-June 30, 1923-----	831	\$2,495,446 76	\$750 73
July 1, 1923-June 30, 1927-----	998	2,451,867 16	614 19
			\$136 54
<b>HOMES—</b>			
July 1, 1919-June 30, 1923-----	746	\$1,350,385 48	\$452 54
July 1, 1923-June 30, 1927-----	725	1,294,136 26	446 25
			\$6 29
The great decrease in the cost of operating the various institutions is summarized as follows:			
State Hospitals -----			\$1,806,672 57
Prisons -----			554,203 26
Correctional Schools -----			545,067 68
State Homes -----			18,233 75
Total saving -----			\$2,924,177 26

#### BUREAU OF LABOR STATISTICS.

The Labor Bureau has rendered greatly increased service at a slight increase in the cost of operation. There has been an increase of six per cent in the total number of jobs filled by the free employment system at a decrease of six per cent in the cost of maintaining the employment bureaus. The bureau has investigated and handled 48,214 complaints of violators of the labor laws, an increase of eighty-five per cent, while the amount of unpaid wages collected increased one hundred and ninety-two per cent.

Approximately ninety per cent of the work of this department has been the collection of unpaid wages. The law enforcement activities of the bureau have increased nearly eighteen per cent. The commissioner has been given a free hand and has labored to deal fairly and justly. At my suggestion when I took office, the commissioner gladly dismissed from the service a number of political barnacles, thus saving expenses and increasing the efficiency of the office.

#### NOTARIES PUBLIC.

The issuing of notary public commissions has required much of the time of the clerical force of my office. The number of notaries in all of the counties, except one, that may be appointed is unlimited. In San Francisco the limit is 155. There have been insistent demands to increase the number of notaries in San Francisco in order to accommodate the business of that great city. Los



Angeles County has upward of 4000 active notaries and Alameda County more than 1000. I have required all notaries to sign an application blank, giving their age, sex, place of nativity and other facts and have required the endorsement of at least five persons as to their character and reputation. The law provides that a person must be a citizen of the state and reside in the county for which the notary commission is issued.

As the work of notaries is highly technical and demands some knowledge of the law, the Legislature should consider the matter of providing for some kind of an examination to test the qualifications of applicants. I have had several complaints of misconduct on the part of notaries. I submitted one of the most flagrant cases referred by the United States Collector of Internal Revenue, to the Attorney General and he held that the Governor had no power to remove a notary public, even for cause, and that there was no specific requirement of law that a person must personally appear before a notary at the time an affidavit is taken. This defect in the law should be remedied. Otherwise, affidavits can be of little use and the Internal Revenue Department may be forced to refuse to receive affidavits purported to have been sworn to before a notary.

#### STATE BOARD OF FORESTRY.

The State Board of Forestry has used every endeavor to protect the forests of the state and to stimulate replanting so that future generations may be provided with lumber. A number of counties have assumed a portion of the protective cost by cooperative agreement with the state. Through the cooperation of the Surveyor General and the United States Forest Service, state-owned school lands within the boundaries of the National Forest are being exchanged for other timber land of equal value. This department has been conducted on a businesslike basis, sanely and intelligently. The department has striven to undo the great harm done mountain resorts by the false forest fire tales of malicious metropolitan yellow journals.

#### STATE BANKING DEPARTMENT.

The resources of state banks under the jurisdiction of the Superintendent of Banks have increased from \$1,985,289,586 to \$2,662,588,284, and individual deposits have increased from \$1,634,064,309 to \$2,093,976,613 between January, 1923, and June, 1926.

The past few years have been a period of consolidation with the result that the number of State banks has decreased from four hundred twenty-nine to three hundred fifty-seven.

The total expenses of the State Banking Department have not increased despite the tremendous increase in the work of the department. This department is maintained by a levy of one one-hundredth of one per cent of the capital surplus and contingent funds, profit and deposits of the banks. The Superintendent of Banks has reduced the fees to seventy-five per cent of the amount authorized by law and has expended only ninety-seven per cent of the amount collected.

No better commendation of the head of this department can be made than the fact that during the past four years not a dollar has been lost by any depositor in any State bank in California. The superintendent has stood staunchly for a fair administration of the banking laws. Recent victories in the courts have shown him to be both legally and morally right.

#### CORPORATION DEPARTMENT.

The Corporation Department has expanded its operations, particularly in the matter of investigation and audit of corporations selling stock in this State and this function has increased the amount of work threefold. Through the work of this department, greater protection has been given the people of the State against crooked stock promoters and high-pressure salesmen.

The cost to the State in salaries per one million dollars aggregate par value of stock represented by the applications was decreased seventeen per cent during my administration, through the application of economy and efficiency. The number of permits issued has increased 91 per cent.

The two commissioners who have served in this department during my term have been able and honest in their efforts to prevent the sale of fraudulent securities. Naturally this department has incurred the hostility of dishonest men who have been curbed in their plots to rob the public.

#### STATE INSURANCE DEPARTMENT.

The Department of Insurance is maintained by fees collected. In the four years previous to 1923 forty-two per cent of the income was required to maintain the department. During the past four years only thirty-two per cent of the fees collected has been used in maintaining the department. There has been an increase in the number of insurance agencies and brokers of thirty-seven per cent. The receipts of the department based upon fees for certificates of authority, filing of annual statements, agents, brokers, surplus line brokers and adjusters fees have increased thirty-four per cent. The net premium income of insurance companies of California has increased sixty-three per cent. The department is well organized and well managed.

## BUILDING AND LOAN COMMISSION.

As a result of the constructive policies of the Building and Loan Commission during my term of office, the assets of building and loan associations in the State of California have more than trebled and the number of associations has almost doubled.

From assets amounting to \$64,732,760, four years ago, the assets have increased to \$224,714,597. The number of associations has increased from 102 to 193 and the number of investors and members has doubled and the borrowers trebled. During the past four years, building and loan associations have assisted in the construction of thirty-five thousand homes in the State of California.

Although the work of the department has trebled, the cost of maintaining the department to the associations has been materially decreased. Four years ago, a charge of twenty-four cents per one thousand dollars of assets was made. This fee was reduced to fifteen cents per one thousand dollars of assets in 1926. This record was made possible through the strict adherence to a policy of economy and business principles.

Strict enforcement of rules and regulations by the Commissioner has made the California associations among the safest in the world. There have been no failures among California building and loan associations during my term of office. Credit is due the commissioner for his good work.

## STATE BOARD OF HEALTH.

The State Board of Health has never been administered in a manner reflecting more credit upon its members. There has been a slight increase in the expenses of maintaining the department due to additional expenditures for humanitarian work, particularly in connection with child hygiene and the prevention of disease. The cost of administration of the department has decreased from \$108,443 to \$99,192 covering a three-year period. A decrease of \$9,000 in the cost of registration and licensing and a saving of \$22,989 in sanitary engineering work and a material decrease in the cost of the work of analysis and investigation has been made.

The work to control and regulate sewage disposal has increased two-fold without an increase in the sanitary engineering staff. Owing to the prompt and efficient action of the State Board of Health, two epidemics in California were prevented. The canning industry has been materially assisted by the board.

## RAILROAD COMMISSION.

Despite a material increase in the work of the Railroad Commission, the actual expenditures have decreased. In the past three fiscal years, ending June 30, 1926, the total expenditures were \$1,240,078 as compared with \$1,486,777 for the three fiscal years previous. For the years from 1923 to 1926 the commission rendered 6373 decisions as compared with 5119 formal decisions for the years 1918 to 1922, inclusive. During the same period the formal applications increased from 4270 to 4979 and the formal complaints from 14,843 to 18,635. I have exercised great care in the selection of men for membership on this important commission, and have been fortunate in securing men of learning, integrity and industry.

## STATE PARKS.

California has six State park areas including the Humboldt-Mendocino and Del Norte parks containing approximately 3200 acres. California Redwood Park at Boulder Creek contains approximately 9300 acres; Burney Falls Park, 335 acres; Bidwell State Park approximately 100 acres and Mt. Diablo State Park approximately 600 acres, or a total of 15,500 acres of State park area.

During my administration, the endeavor has been made to permit the enjoyment of California State parks by the greatest number of citizens, particularly those who can not afford expensive vacations. During the summer just past, between twenty-five and thirty thousand people spent at least a part of their vacation within these parks. Portions of the most attractive groves have been prepared as public camp grounds and pure water has been piped and other conveniences provided. To take care of such expense, a nominal charge of fifty cents per night has been made, with the result that these accommodations have been furnished campers without expense to the state.

California's oldest State park is the California Redwood Park in the Santa Cruz Mountains. Many improvements have been made at this park during the past year to provide facilities and conveniences for campers. The plan of placing it under the control of the State Forester, as executive officer, has proved successful. Richardson Grove in Humboldt County has been under the supervision of the State Forester since its acquisition and has been well and popularly managed. The total expenditures for maintaining these parks have been materially reduced from \$159,181 for the three and one-half year period ending June 30, 1923, to \$114,280 for the corresponding period ending June 30, 1926. With the decrease in cost there has been a bettering of public service.

## INDUSTRIAL ACCIDENT COMMISSION.

That reduction in expenditures does not mean inefficiency is shown by the records of the Industrial Accident Commission. During the first biennium of my administration, the cost of maintaining this department was \$501,162 as compared with an

expense of \$805,296 during the preceding two years. The expenses during the past two years have been correspondingly low. The work of the commission has never been carried on in a more efficient manner. The decisions and rehearings and other procedures have materially increased but the unit cost for each proceeding has been reduced from \$37.47 to \$21.60.

In the safety department of the commission, the unit cost has been reduced from \$12.30 to \$4.48 per activity. The State Compensation Insurance Fund has been administered in a businesslike manner. The premium revenue has increased from \$4,635,000 to \$5,811,000 and during the past four years an average of thirty per cent dividend has been returned. Through the work of engineers and inspectors of the commission, and a careful study of accident prevention, deaths and serious injuries in the industries of California have been materially reduced.

#### MOTOR VEHICLE DEPARTMENT.

The Motor Vehicle Department has been conducted with great efficiency. While the total registrations have increased one hundred and twenty-one per cent, there has been only a thirty-seven per cent increase in expenditures. The cost of registration per automobile license has been reduced from ninety-one cents to fifty-seven cents. The work of the department has practically doubled during the past four years.

In 1922 the total registration of motor vehicles in California was 883,649 while in 1926, to and inclusive of November 30, a total of 1,626,131 vehicles had been registered. By statute, a maximum of twenty per cent of motor vehicle fees collected is allowed for the maintenance of the department. During the year 1926, only slightly more than seven per cent has been used, the balance of \$3,350,000 having reverted for maintenance work on the highways of the state.

A Statewide traffic squad has been organized. At the present time, there are approximately two hundred traffic officers operating in forty-five counties. Fifteen hundred headlight adjusting stations have been established to assist motorists in an effort to rectify the headlight evil.

New and larger offices have been provided and equipped in Los Angeles, San Diego, and Fresno, while the main office at Sacramento has recently moved into a new building especially constructed for it. The Division of Motor Vehicles now has the finest equipped department in the United States. Its superintendent deserves especial commendation.

#### STATE REAL ESTATE DEPARTMENT.

By the application of economy and efficiency, the proportion of revenue collected by the Real Estate Commission that has been required to run the department has been decreased from seventy-two per cent to fifty-four per cent during the past four years. During this period a total of \$427,344 has reverted to the general fund, being a saving to the State through economy and efficiency practiced in this department. The average cost per license issued has been reduced from \$3.28 to \$2. The total number of licenses issued has increased from 92,050 during the four-year period prior to 1923 to 246,771.

A saving to the State has been accomplished despite the material increase in the work of the department. The bonding and educational features of the Real Estate Act added in 1923, has increased the work of the department twenty-five per cent while the number of adjustments made on complaints filed has increased fifty per cent. The effective operation of the department has increased one hundred and fifty per cent with an actual reduction in the cost of maintenance of at least twenty per cent. The surplus of collections over expenses shows that the fees can be decreased. The two commissioners serving under me have been faithful in the discharge of their duties.

#### MEDICAL EXAMINERS.

In no other state has there been so much activity in connection with the prosecution of illegal medical practitioners as in California. A large number of physicians found guilty of criminal practice have had their licenses revoked, and this exceptional record of law enforcement has been accomplished with a reduction in cost. The members of this board, all of whom have been appointed by me, have shown particular care in licensing practitioners with the result that the standard of the medical profession in California is now as high as any state in the Union. In 1922 the cost of maintaining this department was \$68,971, while in 1925 the cost had been reduced to \$43,653. The activity of the board in investigating and prosecuting holders of fake medical diplomas has been a protection to the people and to the medical profession. The diploma mill industry has been stopped.

#### DENTAL EXAMINERS.

The work of the State Board of Dental Examiners has been greatly increased during the past four-year period due to an influx of dentists from other states and increased enrollment in the dental colleges of this State.

There are at present 4980 practicing dentists in California, of which number approximately 1800 were licensed during the past four years. In addition to the work of licensing dentists, the board has been very active in maintaining the ethics of the profession and prosecuting violators of the law.



Through the application of the principles of economy and efficiency, the surplus in the dentistry fund has increased from \$4,316 to \$23,212. Dentists have been appointed of the highest skill and integrity to the board, which has been freed from political domination.

#### STATE BOARD OF PHARMACY.

A saving of \$77,422 is shown by the records of the State Board of Pharmacy during the past four years. The surplus of this department during the same period increased from \$22,421 to \$132,008. The efficiency of the board has been greatly increased by the elimination of political control and by placing on the board practical pharmacists with high ideals and a desire for public service.

The membership on the board has been distributed throughout the State so that places other than the two largest centers of population now have representation on the board. The men appointed by me have striven to protect the public as well as the profession of pharmacy.

#### CHIROPRACTIC EXAMINERS.

The Board of Chiropractic Examiners was created by initiative during my term of office. In the appointment of the members of this board I have endeavored to carry out the will of the voters by selecting bona fide chiropractors rather than practitioners who use other means of treating disease. The board has carried on its work honestly and in a businesslike way, although greatly hampered by malicious litigation. The expenditures during the seventy-sixth and seventy-seventh fiscal years have amounted to \$30,013 which have been nearly covered by fees collected.

#### BOARD OF AGRICULTURE.

The members of the State Agricultural Board have charge of the State Fair at Sacramento and that the fair in September, 1926, was the greatest in the history of the State is a testimonial to the ability of the present board. I have been able to secure men of the highest standing and character and representative of agricultural interests from all parts of the State to accept appointments on this board and serve without compensation. A grandstand was erected last year which is one of the finest in the country and added materially to the attendance at the fair. The State Fair is of particular importance to the State as it gives to the people a better understanding of the resources of California. The fair is conducted on a business basis and for the benefit of agricultural and livestock interests. The secretary is to be commended for his faithful and intelligent service.

#### MINING BUREAU.

Reduction of expenses has been effected in the State Mining Bureau and at the same time the highest efficiency has been maintained. During the four years preceding my administration, the Mining Department cost the State \$275,998 and the cost for the past four years has been only \$194,264. A reduction in expenses has also been effected in the Oil Department of the Mining Bureau despite the tremendous increase in oil production during the past four years. In 1919 the oil production was \$53,219,000. In 1925 the value of oil produced aggregated \$330,000,000 and the minerals amounted to \$100,000,000. Under a law signed by me in 1925, the practice of "high grading" has greatly checked.

#### STATE PRINTING OFFICE.

During my administration this department has been conducted with the highest skill and efficiency with great saving to the State for printing. The printing of school books has proved an entire success and the estimated saving during the past four years on this item alone is \$1,137,148. Notwithstanding the fact that the cost of paper, labor and general overhead expenses has increased, the cost of manufacturing school textbooks has been reduced six per cent as compared with previous cost. The two superintendents who have served during my administration have managed the great printing plant with efficiency and ability. All of the employees are on a civil service basis and are judged upon the merit system.

#### IMMIGRATION AND HOUSING COMMISSION.

For the past three and one-half years the Immigration and Housing Commission has expended \$224,726 as compared with \$251,113 expended for a like period previously. This reduction has been made, despite increased work, through the application of businesslike principles. A reduction of \$23,394 in administrative costs alone was realized. The problems have been met and the work taken care of without increase in the force through cooperation with local officers and other departments of state government. Some of the best citizens in California have served on this commission faithfully and without compensation. The commission has done a constructive and humane work.

#### UNIVERSITY OF CALIFORNIA.

As president of the Board of Regents, I have taken a personal interest in the affairs of the State university and have attended regularly every meeting of the board, something never done before by an executive of this State.

The University of California has advanced more during the past four years than during any similar period in its history. The present average student attendance in the University in all its parts widely distributed over the State, is approximately 16,500 or about 4000 larger than any other state university. The standards of scholarship within the University have been decidedly raised so that its standing as an institution of learning is one of the highest in the world. The citizens of California may well be proud of their State university.

Plans have been developed and brought to fruition for the relocation of the Southern Branch of the University of California and the erection of new buildings at a beautiful site near Beverly Hills. The Southern Branch will be entirely divorced from the Teachers' College, which will remain on Western avenue in Los Angeles City.

During the past four years 9658 degrees have been conferred by the authority of the Regents of the University. Notable achievements in research have been attained. The work of the University Extension Division has continued to grow with the result that a greater number of the adults of the State have been benefited. The Agricultural Extension Service with resulting benefit to nearly one-half million men and women in the agricultural areas of the State has been extended.

During the past four years a number of new buildings have been erected and completed at the University. These include the Memorial Stadium, the Students Union, Le Conte Hall, Haviland Hall and Hesse Hall. Of these the Memorial Stadium and the Students Union have been paid for completely from private funds and five-sevenths of the cost of Haviland Hall has been met by the Haviland bequest.

Bonds voted by the citizens of California at the last election will make available three million dollars for buildings on the new campus at the Southern Branch and three million dollars for the replacement of temporary wooden buildings on the Berkeley campus.

I have appointed to the Board of Regents men of the highest standing and character, who have rendered signal service to the cause of education.

#### STATE HARBOR AT SAN FRANCISCO.

The Board of State Harbor Commissioners has charge of the State property at the waterfront of San Francisco. This department has never been handled in as efficient and economical a manner and the commissioners have been particularly vigilant in serving the interests of the harbor.

When I took office, it was found that the piers, warehouses and buildings were in great need of repair and this necessitated a large expenditure for permanent improvements to protect the state property. A great many important improvements have been made. Notably, the overhead crossing for passengers from the Ferry Building across The Embarcadero to the foot of Market Street, the subway under the street car lines in front of the Ferry Building for vehicular traffic, the re-flooring of the reception rooms of the Ferry Building with California marble and many other notable improvements for the convenience of the public and for the efficiency of the harbor.

The State Harbor is now on an absolutely business basis and employees are selected from the civil service list and maintained because of their merits.

#### DEPARTMENT OF PUBLIC WELFARE.

The coordination of the State Department of Public Welfare and the State Bureau of Children's Aid is an illustration of efficient management. These two departments were supervising orphanages, following up the adoption of children, inspecting maternity wards, county hospitals, jails and poor houses; studying plans of public buildings for State and county charges; and to these duties the last Legislature added the inspection of Homes for the Aged. During the last four years nearly six million dollars has been disbursed by the State through the Bureau of Children's Aid for the welfare of widows and orphans and 14,000 children are now receiving assistance. The work has greatly increased, but the cost of operating the two departments has been greatly reduced. The accountant's report shows that, notwithstanding the growth of the work and the increased number of beneficiaries, the coordination of these two departments under one executive secretary effected a saving of \$52,314.36 during the last biennium. The members of this board are doing a public service freely and are deserving of credit. The secretary and other officers are efficient and work earnestly for the public good.

#### INDUSTRIAL WELFARE COMMISSION.

The minimum wage law of California has been administered efficiently and at a decrease of thirty-four per cent in the cost of maintaining the Industrial Welfare Commission.

In May, 1923, seven and four-tenths per cent of the women and minors in the mercantile, laundry and manufacturing industries were receiving wages under sixteen dollars per week. In 1925, only five and four-tenths per cent of the women and minors in these industries received wages under the minimum wage schedule. Not only has the welfare of female and minor employees been improved, but general conditions have been bettered through an educational program of the commission.

There has been no attempt in California to test the constitutionality of the minimum wage law, as was feared following an adverse decision of the United

States Supreme Court in April, 1923. This result was largely due to the work of the Industrial Welfare Commission and the cooperation of employers.

#### STATE ATHLETIC COMMISSION.

The State Athletic Commission was created by an initiative measure and although I am not personally a follower of the so-called sport of boxing, I endeavored to select men for the commission who would see that boxing was handled in an honest manner and at the same time give full effect to the will of the people as expressed through their vote. The total attendance at boxing contests during this period up to November 30, 1926, was 3,218,446, and the sum of \$4,118,841 was actually paid in box office receipts to see pugilistic contests. The administration of the Athletic Commission cost the state only approximately one-half of the limit fixed by the law, or in the neighborhood of twenty-two thousand five hundred dollars per year. The State has realized in fees approximately two hundred forty thousand dollars that can be used toward the erection of buildings at the Veterans' Home at Yountville as soon as action is taken by the legislature making the necessary appropriation. The commissioners and the secretary have been faithful, honest and efficient.

#### STATE RECLAMATION BOARD.

An excellent example of what can be accomplished by the application of business principles and the practice of economy is exemplified in the records of the State Reclamation Board. The operating costs of the department have been reduced from twelve per cent to less than five per cent and the average decrease in all of the expenses of the board has been fifty-three per cent. Despite this strict practice of economy, the work of the commission has gone forward and much has been accomplished. The board has worked out a plan for the more equitable distribution of costs between the State, the federal government and local interests. The members of the board deserve great credit for their intelligent and efficient services to the people of the Sacramento and San Joaquin reclamation districts.

#### LAND SETTLEMENT BOARD.

Prior to my term of office the administration of the State Land Settlement Board was almost a public disgrace. Officials of the State of California had resorted to the worst practices of misrepresentation in connection with the sale of land and the taxpayers were forced to bear the burden of unwarranted administrative costs. During my term, the overhead expenses of the Delhi Land Settlement were reduced from \$38,369 to \$11,500 per year, and at the Durham Land Settlement the administration cost was reduced from \$8,000 to \$3,100. By the elimination of private automobiles for administration heads, a saving of \$3,600 per year was effected. In all, a reduction of \$179,156 was brought about through the application of plain businesslike principles to the land settlement operations. Moreover, land sales during my term, have been made to persons most fitted to undertake agricultural work, thus eliminating the necessity of foreclosure.

A practical man of experience was put in charge of land settlement by me. It was necessary at the 1925 session of the Legislature to appropriate \$600,000 for relief, of which \$350,000 was used to pay the interest due the State from settlers on the loans made and \$250,000 to carry on the financing of the settlement and to make loans to settlers which had been promised by the former administration. In addition to this appropriation of \$600,000, an act was approved whereby interest charges to the settlers were rebated from July 1, 1925, to July 1, 1930. The small colony at Durham has been in a measure successful. The experience at Delhi and Durham shows that State colonization is not successful. The plan of the Veterans' Welfare Board has been to distribute land purchases throughout the State and this has proved successful.

#### STATE LIBRARY.

During the past three fiscal years the cost of maintaining the State Library has been \$326,768, as against \$439,478 during the preceding three fiscal years. The circulation of books reached the highest point in the history of the State, 46,809 volumes being circulated in the various counties. The total appropriations for the State Library during the four fiscal years ending June 30, 1927, have been \$456,700, as compared with \$565,900 for the preceding four years. Under the policy followed by the State Library, every citizen through his local branch has access to the literary and scientific works in the State Library, so that the small country and village branch libraries are put on equal footing with the large libraries in the metropolitan cities. The State Library leads the world in the completeness of its service. Forty-six of the fifty-eight counties are associated with the State Library. The library is scientifically managed and reflects great credit upon the able and efficient librarian.

#### PUBLIC EDUCATION.

Education is one of the most important functions of any government. The taxpayers of the State of California have been liberal in sustaining educational institutions. The State maintains the university with its various departments, several teachers colleges, a school for the deaf and blind and an industrial school. It also acts as a collecting agency and turns many millions of dollars over to the various school districts of the state.



I have taken a deep interest in all educational affairs, have fostered the interests of the university, and have approved appropriations for new buildings, additional lands and improvements at the teachers colleges amounting to \$521,000 in excess of those provided for during the administration of my predecessor, and have provided liberally for their maintenance. Generous provision has been made for the school for the deaf and blind, while the kindergartens, elementary and high schools have had my earnest support. Men and women of the highest integrity and business ability have been appointed to membership on the State Board of Education. The total expenditure for State educational purposes for the four fiscal years ending June 30, 1923, was \$73,096,932, while during the four fiscal years of my administration appropriations reached the great sum of \$115,714,815. This is an increase of \$42,617,872, or more than 58 per cent.

Under the present constitutional provisions the Governor and the Legislature are in a large measure powerless to prevent this rapid increase in the cost of education. I can not refrain from repeating the warning given in my 1925 message, that the present rate of increase in the cost of education in California will soon absorb all the revenues of the State and create a burden too heavy for the taxpayers to carry.

The people of California are willing to contribute liberally to educational needs but they insist that their money be expended wisely and economically. The trustees elected in the various school districts should have larger powers over the financial affairs of the districts. Educators can be safely trusted with the education of the coming citizens of the State, but business men should control expenditures. This policy has worked well in university affairs and would result in a great saving if applied to the common schools. Such economy would result in better schools and better education for the rising generation.

#### CONCLUSION.

I appreciate better than anyone the heavy load of official responsibility which my successor will in a few minutes assume, and extend to him my best wishes. It is with pleasure that I lay down the heavy burdens of this great office. Only with the aid and guidance of Divine Providence have I been able to carry on the work.

The people of California have my sincere thanks for the great confidence they have reposed in me and for the high offices they have given me by their votes. As a private citizen, I will labor to repay, in a measure, the debt I owe to the people.

In closing, I wish to thank the Senators and Assemblymen for their courtesies and the State officers for their assistance during the past four years. In my trip around the world in the good ship "California," I will remember my thousands of friends in California with pleasure and gratitude. It is good to be free.

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

Also:

#### MESSAGE OF GOVERNOR FRIEND WM. RICHARDSON, REGARDING ACTS OF EXECUTIVE CLEMENCY.

*To the Senate and Assembly of the State of California.*

In accordance with the provisions of the constitution and the statutes, I am reporting to you each act of reprieve, commutation and pardon by me since my last report at the beginning of the forty-sixth legislative session. Following the practice established in my previous message, I am setting forth the full text of pardons and commutations of sentence granted, a statement of the case, the crime for which the person was convicted, the sentence and its date, and the date of the commutation or pardon, together with my reasons for granting the same.

I have exercised only five acts of executive clemency during the past two years. Four pardons have been granted and one commutation of sentence issued. I have issued no reprieves during the past two years. Several hundred applications for clemency have been made. Each case has been carefully investigated and considered, but only in these five cases have I felt justified in exercising the power vested in the Governor.

In the one case of commutation, a sentence of "five years to life" was shortened to five years upon the recommendation of the trial judge and district attorney of Sacramento County because a young man, not eighteen years of age at the time of the commission of the crime of robbery, later materially assisted the State in securing the conviction of an ex-convict who had led him into the commission of crime.

In each of the four cases of pardon I was convinced after careful consideration that the person convicted was innocent and that a miscarriage of justice had resulted from his conviction and sentence to the State penitentiary. All four of these convictions were had in Los Angeles County, and in each case the trial judge recommended pardon. In three cases the district attorney of Los Angeles County admitted he had made a mistake, but was loath to admit his error in the last case of pardon issued by me.

Pardon matters have occupied much of my time and attention during my term as Governor, not only in connection with the consideration of the various applica-

tions made to me, but in the consideration of the theory of pardons and the proper use of the executive power of clemency given to the Governor by section 1 of article VII of the constitution.

My conclusion is that the pardoning power is given to the Governor solely to prevent a miscarriage of justice. I feel that the Governor of a State in the discharge of his duty and in keeping with his oath of office to support the constitution and laws of the state has no right legally or morally to pardon one convicted of crime, either during or subsequent to his incarceration in a state prison, for reasons of sentiment or pity, or because pressure has been brought to bear upon him by "sob sisters," relatives, or politicians. It is an easy thing for a Governor to grant pardons and it is hard to deny some applications. To issue pardons freely is the easy way, but I feel that an executive should stand inflexibly for law enforcement and adequate punishment of criminals, and not weakly give way to pleas for clemency.

In many cases every imaginable pressure has been brought to bear to induce me to issue pardons. Sympathy has been aroused by sentimentalists and in many cases the denial of pardons appeared to be the unpopular thing at the time. I believe, however, that the sober, thinking men and women of the State of California agree with and approve my stand for law and order.

In the case of Clarence (alias Tuffy) Reid, petitions containing more than 50,000 names asking the commutation of sentence poured into the Governor's office. Two chains of newspapers made a determined campaign to save the convict's life. In this, as in every other case of murder involving the death penalty that has come to my attention during my term of office, I felt that the prisoner had been fairly tried, justly convicted and that the sentence of the court as fixed in accordance with the verdict of the jury should be carried out.

During my term of office thirty-seven men have been hanged in the prisons of this State. In each of these cases an appeal was made to me to commute the sentence to life imprisonment, either by the prisoner or persons interested in the case, and I have made a careful examination of the evidence and been fully convinced that the verdict of the jury was sound. The death penalty is a needed protection to the peace officers of the State, as guardians of the life and property of our citizens. The facts are yet fresh in the minds of the people of two ruthless young murderers, whose lives were spared by a sentimental jury, escaped from the State prison and were responsible for the taking of at least two additional lives. It is absurd for sentimentalists to claim that life imprisonment is a greater punishment than death. Every one of the thirty-seven cold-blooded murderers who paid the penalty of his crime during the past four years was anxious to have his sentence commuted to life imprisonment. Moreover, a life sentence does not mean remaining in prison for the remainder of the natural life of the murderer. Experience over a period of years since the adoption of the parole law shows that the average time served for a life sentence is thirteen and one-half years.

The matter of pardoning convicts who have conducted themselves properly on parole has been presented to me many times. A convict is presumed to observe the law and the rules of the prison board. His reward for good conduct is his remaining outside of prison. If he fails he is returned to prison. I do not believe that good behavior in prison or on parole justifies clemency by the Governor.

Under the decisions of the courts a pardon virtually wipes away the sins of the convict. It not only takes away the disabilities resulting from conviction of a felony but, in effect, it gives him a new character, spotless, clean and white.

Some plan should be devised whereby a prisoner who has served a sentence for the commission of a felony or other high crime within the meaning of the constitution may be restored to citizenship rights, after he has demonstrated over a length of time that he has left his life of crime and become a useful member of society, without giving him a full pardon and thus pronouncing him innocent of the crime of which he is guilty.

There should be further limitation on the power of the Governor with respect to acts of executive clemency. Section 1 of article VII of the constitution, giving the Governor power to perform acts of executive clemency, is limited only by such regulations as may be provided by law relative to the manner of applying for pardons. The legislature should prescribe that certain proof or showing be required in the application, and limit the acts of executive clemency to cases of miscarriage of justice.

The jury system has come down to us from antiquity and has become such a time-honored part of the law of the land that the opinion of the executive should not be substituted for the opinion of the jury. It has been my practice to sustain the verdict of juries. If the jury, which has seen the witnesses and heard the evidence, is satisfied of the person's guilt, I have declined to set the verdict aside. If new facts have developed since the trial and did not come to light within sufficient time to present to the court on a motion for a new trial, I have considered such facts in relation to the evidence adduced at the trial. I have also examined into claims of perjury and into improper motives on the part of law enforcement officers. However, I have felt that such showing should be sufficient to convince any ordinary mind that a miscarriage of justice would result from the carrying out of the sentence and have invariably made it a practice to submit all of the evidence to the trial

judge and district attorney, believing that in practically all cases their recommendation should be followed.

In other words, it is my theory that executive clemency should be supplemental to the law and should not be so exercised as to defeat the purpose of the law. Pardons too freely issued lend hope to those who have violated the law and to the criminally inclined, thus taking away to a large extent the deterrent effect of conviction and punishment.

Only by strict enforcement of our criminal statutes and the elimination of sentimentalism in meting out punishment can law and order be maintained.

I have had constantly in mind a desire to protect the women and children of California in their homes. If sentimentalists and hysterical newspapers should succeed in their endeavors, shotgun brigades would be necessary in every community and no home would be safe. The stern enforcement of the law and adequate punishment of criminals is necessary to protect our citizens. The execution of one criminal is a greater deterrent of crime than the confinement of one hundred in prison. The fear of the noose on the part of the criminal element is a measure of protection to every citizen.

Following are the acts of executive clemency done by me during the past two years:

#### PARDON OF SIDNEY WOOD.

Sidney Wood was convicted of robbery in the first degree in the superior court of the county of Los Angeles on March 3, 1924, and two days later was sentenced to an indeterminate term of from five years to life in the State Prison at San Quentin, where he was taken and given prison No. 39150.

He was charged with participating in the holdup of a Pacific Electric train near Los Angeles, California, on November 7, 1923, and was tried by a jury. The jury disagreed and he was tried by another jury and convicted. He protested his innocence and attempted to prove an alibi. Several passengers on the electric train identified Wood and the jury convicted him on this evidence.

Asa Keyes, district attorney of Los Angeles County, says that a mistake was made and that one James E. Hovermale and three others were the robbers and that Wood was innocent. Hovermale was convicted of this robbery on March 11, 1925, and the other three robbers are in jail awaiting trial. One of them has made a complete confession. The district attorney called at this office yesterday and presented the facts and asked that Wood be pardoned. Eleven of the twelve jurymen who tried Hovermale have expressed their belief in the innocence of Wood. Officials and detectives of the electric company have written stating their belief in Wood's innocence.

District Attorney Keyes in asking for a pardon says:

"On the 3d day of March, 1924, Sidney Wood was convicted of first degree robbery on the testimony of two witnesses who positively identified him as one of the perpetrators of the Pacific Electric Short Line robbery at Valley Junction in the county of Los Angeles on November 7, 1923, the evidence being to the effect that he was the one who stood upon the rear platform of the Pacific Electric car during the holdup and had fired the shots into the roof of the rear vestibule. The identification by these two witnesses was based upon a similarity in the eyes, the lower portion of the forehead and the upper portion of the nose, the upper portion of the forehead of the man who actually perpetrated the robbery being concealed by a cap and the lower portion of his face from the bridge of the nose down concealed by a bandana handkerchief.

"He was sentenced on March 5, 1924, by the Honorable W. J. Wood in Department 21 of the superior court in and for the county of Los Angeles, previous to which time he had filed a motion for a new trial which was denied. His defense was that of an alibi.

"Representatives of the Pacific Electric Railway, to wit, P. R. Fysh and C. R. Smith, made a very thorough and careful investigation of the robbery in question, and as a result of that investigation one James E. Hovermale was arrested, tried in Department 12 of the superior court in and for Los Angeles County during the week of March 11, 1925, and convicted of robbery in the first degree and sentenced by the Honorable Judge Sidney N. Reeve on March 19, 1925, to San Quentin, the evidence in that case showing that the said James E. Hovermale was the real party who stood upon the rear platform at the time of the robbery of the aforementioned Pacific Electric Short Line train on the aforesaid date, and had fired the shots into the roof of the vestibule.

"As a result of the conviction of James E. Hovermale indictments were returned against Mark Godfrey, Russell Smith and Roy Smith charging them with this same robbery, Russell Smith and Mark Godfrey having been arrested and extradited from Idaho and Mark Godfrey since his arrest having made a complete confession of his participation in the holdup, and identifying Hovermale, Russell Smith and Roy Smith as the other three parties who with him held up the Pacific Electric Short Line train on the aforesaid date.

"In view of the testimony now available, which is conclusive as to those who actually participated in the holdup, the undersigned unhesitatingly states



that in so far as Sidney Wood personally is concerned there has been a miscarriage of justice—that he is a victim of mistaken identity; had absolutely nothing whatever to do with the holdup; is innocent of the offense of which he has been convicted and unqualifiedly recommends to your excellency that the said Sidney Wood receive an immediate pardon."

Superior Judge Sidney N. Reeve, who presided at the trial of Hovermale, has recommended the pardon of Sidney Wood, and says:

"Having presided during the trial of James E. Hovermale, as judge of Department 12 in the superior court of Los Angeles County, and being thoroughly familiar with the evidence introduced therein, unhesitatingly join in the above request and recommendation that your excellency grant Sidney Wood an immediate pardon."

The jurymen who tried Hovermale, the real culprit, have filed the following request for the pardon of Wood:

"We, the undersigned, jurors in the Hovermale case above referred to, who have heard and passed upon the evidence in connection therewith, feel that in so far as Sidney Wood is concerned, there has been a miscarriage of justice, and that he is absolutely innocent of the crime with which he stands convicted, and cheerfully join in the above recommendation and request that your excellency grant an immediate pardon to Sidney Wood."

Frank Karr, chief counsel and vice president of the Pacific Electric Railway Company, joining in the request for a pardon, says that:

"On January 4, 1925, he received a letter from Sidney Wood complaining that he had been wrongfully convicted and sentenced to a term of from five years to life in San Quentin. The undersigned immediately requested a report on the conviction of Sidney Wood and started an investigation and from that investigation has arrived at the conclusion that Sidney Wood was erroneously and wrongfully convicted of the crime of train robbery, and therefore in order that justice may be done joins in the recommendation that a pardon be granted said Sidney Wood."

E. R. Fysh, chief special agent of the Pacific Electric Railway Company, says he—

"read the above statement in support of the petition of Sidney Wood for a pardon, am thoroughly familiar with the contents and have an independent knowledge thereof, and most heartily concur in the recommendation on the part of the Honorable Asa Keyes, district attorney of and for the county of Los Angeles, to your excellency, that the said Sidney Wood receive at your hands an immediate pardon."

From the above statements of facts, I am convinced that Sidney Wood was wrongfully convicted of the crime for which he was charged and that he is rightfully entitled to his immediate freedom.

Now, therefore, by virtue of authority vested in me by the constitution and laws of the State of California, I do hereby pardon the said Sidney Wood.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, this fifth day of May, 1925.

[SEAL]

FRIEND WM. RICHARDSON, Governor.

Attest:

FRANK C. JORDAN, Secretary of State.

By ROBERT V. JORDAN, Deputy.

#### COMMUTATION OF SENTENCE.

Raymond V. Fredericksen pleaded guilty in the superior court of Sacramento County on October 22, 1923, on a charge of robbery, and was sentenced to the State Prison at San Quentin for a term of from five years to life, under chapter 127, Statutes 1923. He was received at San Quentin on November 1, 1923, and has been serving his sentence since that date.

At the preliminary hearing he testified that he was 18 years of age. Subsequently, after the court had lost jurisdiction of the case, showing was made that he was born on March 26, 1906, from which showing it appears that he was 17 years old at the time of the commission of the offense and his plea of guilty. He later made the explanation that he did not want to admit that he was under 18 years of age, so great was his fear that he would be compelled to go to a part-time school.

An application for probation was denied upon the recommendation of the probation officer, who felt that notwithstanding the young man's prior good behavior, that he was precluded from recommending probation, inasmuch as the robbery was committed with the aid of a weapon.

The investigation of the probation officer and of the trial court showed that the robbery was the result of association with a hardened criminal, one George B. Dix, who had led the young man to participate in several crimes, although the actual perpetration of the crimes was conducted by Dix.

Dix attempted to escape the severe penalty for robbery by pleading guilty to the crime of burglary, and it was only upon the testimony of Fredericksen that he was convicted of the crime of robbery and received proper sentence for his misdeeds. It required considerable courage on the part of Fredericksen to so testify. At the time of the trial he had already been confined in San Quentin penitentiary.

Ellis W. Jones, sheriff of Sacramento County, makes the following statement:

"At the time Frederickksen was arrested he stated to the arresting officer: 'I see where I have done wrong, and I will tell the whole story,' which he did. If it had not been for Frederickksen's testimony I do not believe George B. Dix, who was an ex-convict, would have been convicted. After taking into consideration the fact of Frederickksen's age, and feeling that Frederickksen unwillingly participated in the crime of highway robbery, for which he was sentenced to the State Prison at San Quentin, I believe this is a case where the influence of a hardened criminal was brought to bear upon a youth."

Charles O. Busick, judge of the superior court of Sacramento County, who sentenced Frederickksen, has made the following statement:

"The defendant, Frederickksen, pleaded guilty to the charge of robbery and was sentenced under the 1923 statute, chapter 127, codified under section 211-a. Prior to sentencing, application for probation was made and by the court referred to the probation officer and the probation officer held that he was not permitted under the law to make a recommendation for probation, therefore the defendant was sentenced and is now in San Quentin prison."

Subsequently thereto, Dix, the leader in this crime, was tried in this court before a jury and the defendant, Frederickksen, appeared as a witness for the State, told a straight, truthful story of the crime, assisting the State in convicting Dix, the leader of the two, and a man who already had a prison record.

The investigation of the probation officer showed that defendant Frederickksen previously had a good character and reputation; had been regularly engaged in a useful occupation and had been a member of a Sunday school class; had no previous bad record, came of a good family and had undoubtedly been misled by the experienced criminal, Dix.

The file in the case also shows affidavits filed in his behalf, after sentence, in a motion to set aside the judgment, from persons who lived at his former home, showing that the defendant was born March, 1906, although the boy, himself, testified that he was 18 years old. At the time of passing sentence the court had nothing but Frederickksen's statement as to his age before it, therefore accepted the testimony of Frederickksen as correct, and for that reason did not remand him to the juvenile court.

It appears to the undersigned that the sentence in this case, although in conformity with law, is much too severe; in that unfortunately the lad's rights were frittered away by a failure to make the showing that possibly could have been made as to his age.

The youth has now spent nearly a year in prison, a severe punishment for the part he took in the commission of the crime and it is the belief of the undersigned that justice would best be served in granting a pardon to this youth. It is with a firm belief in these statements that I make these recommendations."

J. J. Henderson, district attorney of Sacramento County, says:

"I endorse the statement of Honorable Charles O. Busick, and join in his recommendation."

After carefully reviewing the above statements and the facts in the case I do not feel that a pardon should be granted, as the young man actually participated in a robbery and in one or more burglaries. However, I have taken into consideration the fact that if the young man's age had been established prior to sentence he probably would have been sent to the reform school rather than to the State penitentiary, and the additional fact that he risked bodily injury at the hands of other prisoners at San Quentin who make a practice of intimidating any prisoner who is willing to testify against another prisoner. Frederickksen materially aided the State in the conviction of the director and instigator of the crime in which he participated. The conduct of the prisoner since his incarceration in the State penitentiary has been exemplary, and he has given unmistakable evidence of his desire to reform and lead a better life. I feel that he is entitled to executive clemency, and that his sentence should be reduced to permit early parole.

Now, therefore, I, Friend Wm. Richardson, Governor of the State of California, pursuant to authority vested in me by the constitution and statutes of said state, do hereby commute the sentence of Raymond V. Frederickson from five years to life to a term of five years in the State penitentiary at San Quentin.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed at Sacramento, this 26th day of February, 1926.

[SEAL]

FRIEND WM. RICHARDSON,  
Governor of the State of California.

By the Governor:

FRANK C. JORDAN, Secretary of State.  
By FRANK H. CORY, Deputy.

## PARDON OF JAMES W. PRESTON.

James W. Preston was convicted by a jury in the superior court of Los Angeles County of first-degree burglary, first-degree robbery and assault with a deadly weapon. He was sentenced on March 16, 1925, on each of the counts to serve a term in the State Prison at San Quentin as prescribed by law, the three sentences to run consecutively. He was subsequently received at the State prison and given No. 40598.

The charges grew out of the cowardly shooting of Mrs. Dick R. Parsons of Los Angeles on the night of October 18, 1924, during the robbery of her residence. After the commission of the crime, the robber and would-be murderer, who was heavily masked, made his escape. Investigation by the police disclosed that the criminal had made his entrance through a rear window of the house and fingerprints were discovered on a screen and photographed.

Subsequently, Preston was arrested and placed in the Los Angeles city jail on a charge of unlawfully wearing the uniform of the United States Navy. His description generally fit that given by Mrs. Parsons of her assailant. Preston's fingerprints were taken and submitted to the State Bureau of Criminal Identification together with a photograph of the fingerprints found on the screen. The superintendent of the State Bureau advised the Los Angeles officials that the picture was not sufficiently clear to make a positive comparison, although there was a similarity in the general contour of the two fingerprints. The fingerprint expert of the Los Angeles Police Department stated at the time that the fingerprints were not the same. It was erroneously reported in a Los Angeles newspaper that Preston had been positively identified through fingerprints. He was taken to the bedside of Mrs. Parsons, who had previously been misinformed through the newspaper accounts as to the fingerprint identification. Her mind undoubtedly influenced by the belief that the fingerprint identification had been made, Mrs. Parsons identified Preston as the man who had robbed her home and shot her and so testified at the trial. This identification, based only on the similarity of Preston's voice and eyes with those of the actual assailant, together with conflicting statements made by Preston as to his whereabouts on the night of the crime, led to his conviction, although he denied his guilt and claimed that he was not in Los Angeles at the time of the commission of the crime. The district attorney did not produce the evidence in his possession as to the dissimilarity of fingerprints.

More than one year later, one Earl M. Carroll was arrested, charged with the commission of certain burglaries in the city of Los Angeles. His fingerprints were positively identified through comparison by the fingerprint experts of the Los Angeles Police Department as those found on the screen of Mrs. Parsons' home.

Carroll has been charged with the commission of the crime for which Preston was convicted. His trial, however, has been delayed owing to the fact that he has developed evidences of insanity, and it is possible Carroll will not be brought to trial on this charge.

I was hopeful after the facts of this case were first presented to me that a jury might determine the evidence against Carroll before acting on the application of Preston for pardon, but the evidence appears to be so clear and convincing and in view of the recommendation of the trial judge and district attorney of Los Angeles County, I am disposed to act on this case without further delay, believing that an innocent man has been convicted and that the carrying out of the judgment means a miscarriage of justice.

Asa Keyes, district attorney of Los Angeles County, says:

"I am wholly satisfied in my own mind that while the conviction of James W. Preston might be proper at the time, subsequent developments are such that it is clear that the guilty party is Earl M. Carroll. Under all of the circumstances, I feel wholly justified in recommending pardon for James W. Preston and do so recommend."

Honorable Carlos S. Hardy, judge of the superior court in and for Los Angeles County, who presided at the trial of Preston and subsequently made investigation of the evidence that has developed subsequent thereto, has recommended a pardon. He reviews the case as follows:

"The district attorney of this county and certain officers of the police department and of the sheriff's department have called to my attention developments in connection with the case of James W. Preston who was tried before a jury in my court in March, 1925, and was convicted of first-degree burglary, first-degree robbery and assault with a deadly weapon and was sentenced by me to San Quentin.

"The district attorney advises me he has recommended to your excellency that this defendant be pardoned, believing as he does, that Preston was not guilty of the offenses of which he was convicted and that his identification was the result of a mistake. The district attorney is strongly corroborated in his views by Mr. H. L. Barlow of the Los Angeles police department who is an expert on fingerprints and Mr. Frank Dewar, deputy sheriff, who is serving as jailer of Los Angeles County.

"I have reviewed the evidence taken at the trial at which Preston was convicted. The identification of Preston was made chiefly by the one witness, his victim, testifying to peculiarities in the voice and of the eyes, which peculiar-



ities are found in the defendant Preston. The victim in the case, who was chief witness in the prosecution, was an unusually intelligent lady and her testimony was positive and conclusive and her description of the voice of the person who attacked her and of the peculiar way in which he would close his eyes down until they were mere slits was most striking and definite and these peculiarities, as above stated, were noticeable in the court room during the trial of the defendant and were of such a rare nature that one might say would be seldom met with in the course of a lifetime.

"In addition to this testimony of identification, there was furnished me, but did not go to the jury, evidence by the officers who had investigated the case that the fingerprints of the person who committed the offense had been taken and compared with the fingerprints of Preston then on file in the State Identification Bureau in Sacramento and some report was shown to me from the superintendent of the bureau stating in effect that Preston's fingerprints were similar to those of the person who committed the offense. The photographic copies and reproductions of the fingerprints of the person committing the offenses were imperfect in some respects and for that reason it was explained that a perfect identification by fingerprints was impossible. The officers were satisfied that they were Preston's fingerprints.

"Preston had an alibi, portions of which placed him in San Diego or near San Diego at the time when the offenses were committed. This alibi was entirely destroyed by the showing that he was in the city jail in Los Angeles at the time when he claimed to be elsewhere.

"The matter of these discrepancies in his alibi have never been cleared up so far as I know, but from a reading of the affidavits which I am advised are now on file in your office and which have been exhibited to me by the district attorney, I am now led to believe that the fingerprints of the person who committed the offenses are not the fingerprints of Preston but that they are the fingerprints of one Earl M. Carroll who is now under arrest and who is believed to have committed the offenses for which Preston is now serving sentence. Carroll has not yet been brought to trial. I am also advised by the district attorney and the other officers of the case that Mrs. Parsons, the victim of these crimes, has seen Carroll and states that he more nearly fills the bill of the man who had committed the offenses and that he possesses the peculiarities of voice and eyes that she described and which went so far in securing the conviction of Preston.

"Upon these representations referred to above and the new disclosures, it would seem to me that Preston is entitled to executive leniency and I join with the other officers in so recommending."

Sergeant H. L. Barlow, fingerprint expert of the Los Angeles police department, has filed with me an affidavit reading in part as follows:

"Affiant further says that he has positively identified the fingerprints that he photographed on the lower edge of screen frame which was removed by a burglar on the night of October 18, 1924, at the home of Mrs. Richard Parsons, 906 West 50th street, as being impressions made by the right middle and right ring fingers of Earl M. Carroll, L. A. No. 21674-A; also a portion of palm print that he photographed on the opposite side of screen frame from the fingerprints which he has positively identified as being an impression made by the right hand palm of Earl M. Carroll.

"Affiant further states that he compared the fingerprints of the said James W. Preston, L. A. No. 23668-M-2, with the fingerprints that he had photographed on the Parsons' screen frame and they were positively not made by his, the said James W. Preston's fingers. He informed the officers who were working on the case at that time of this fact. This comparison was made at the time Preston was suspected of this crime, in 1924."

Mrs. Dick R. Parsons has made and filed with me an affidavit reading in part as follows:

"Affiant now realizes that, believing the fingerprints possibly being Preston's, made her more certain in her mind as to her assailant being Preston than she might have been had this statement never been made, and in the light of this new evidence, granting that Mr. Barlow is correct and which affiant now feels she can not doubt, affiant believes now that she could have been mistaken in identifying James W. Preston as the man.

"While affiant did not realize it at the time, she can now readily see how her identification of Preston was unconsciously influenced from having had read to her before seeing said Preston, articles from newspapers, to the effect that he, Preston, had been arrested on account of the similarity of his fingerprints and the fingerprints of the burglar taken from the window screen of her house.

"Affiant further states that, in view of all the facts that have come to light since the arrest and investigation of the said Earl M. Carroll and the positive identification of his fingerprints with the fingerprints of the burglar left on her screen, she, said affiant, feels that it is possible and entirely probable that she has made a mistake in identifying James W. Preston as her assailant, and that, in making said identification, affiant was undoubtedly

influenced by the statements which had been made to her as above set forth, leading her to believe that the said James W. Preston had been connected with said crimes by evidence independent of said affiant's identification."

Frank Dewar, deputy sheriff and jailer of the Los Angeles County jail, has made and filed an affidavit in which he says in part:

"That since said conviction and sentence, and particularly within the past few weeks affiant has been actively engaged in cooperating with H. L. Barlow, police sergeant in charge of the Police Identification Bureau of the city of Los Angeles, and has become satisfied that said Preston was not the perpetrator of the crimes committed against the person and property of Mrs. Richard Parsons and that it now appears that the perpetrator of such crime is one Earl M. Carroll who is now in custody in the county jail of Los Angeles County and being prosecuted by the district attorney of said county for said crime."

Detective Lieutenant T. D. Robinson of the police department of the city of Los Angeles has made and filed with me an affidavit in which he expresses his belief in the innocence of Preston and says:

"Affiant further states that it has since been demonstrated to him by fingerprint expert H. L. Barlow of the Los Angeles police department, that the prints on the screen belong to Earl M. Carroll who was arrested by said Los Angeles police department on the charge of burglary. Affiant is also convinced that owing to the similarity of build and description of the said James W. Preston and the said Earl M. Carroll that Mrs. Parsons could have made an error in her identification at that time, especially as she saw only the eyes of the man who shot her, between the top of a handkerchief tied over Preston's face and a pulled-down hat and that she, the said Mrs. Parsons, heard his, the said Preston's voice in a moment of intense excitement."

M. M. Moran, police officer of the police department of the city of Los Angeles, and Police Officer H. L. Bain, who investigated the charges against Earl M. Carroll, have made and filed with me affidavits in which they express their belief that Carroll, and not Preston, is the person guilty of the crime for which Preston is now serving in the state prison. These affidavits set out the fact that Carroll has made certain damaging admissions to the officers connecting him with the crime in addition to the positive identification of the fingerprints.

G. E. Benedict, deputy public defender of Los Angeles County, who represented Preston at the time of trial, has made and filed with me an affidavit in which he states that Preston at all times maintained his innocence and further that the deputy district attorney in charge of the prosecution before the commencement of the trial offered to drop the charges on which Preston was convicted if he would plead guilty to simple assault, but that Preston refused to plead guilty to any charge in connection with the robbery and shooting of Mrs. Parsons.

I have made an independent investigation and from all of the facts and circumstances believe that James W. Preston is not guilty of the crime for which he was convicted. This is in no way a reflection upon the jury that found Preston guilty. In most cases I am willing to accept the verdict of juries. But facts in this case have developed subsequent to trial which I believe if submitted to the jury would have resulted in a verdict of acquittal. I have no hesitancy in stating that I believe that it is the duty of officers charged with the preparation of cases for trial and of district attorneys who prosecute to present all of the facts to the jury in order that a fair determination of the guilt or innocence of the accused may be had. I strongly believe in vigorous prosecutions of criminals, but I also believe in fair play for those accused of crime. Had the deputy district attorney who prosecuted Preston presented to the jury the evidence showing the dissimilarity between the fingerprints found on the screen of the Parsons residence and those of Preston, there is no doubt in my mind that Preston would have been acquitted by an intelligent jury without the subsequent additional proof that the fingerprints found on the screen were those of Earl M. Carroll.

In view of the circumstances of this case publication of notice of intention to apply for pardon is hereby waived.

For reasons hereinabove stated by virtue of authority vested in me as Governor of the State of California by the constitution and laws of this State, I hereby pardon James W. Preston on each of the three charges of which he was convicted.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, this second day of September, 1926.

[SEAL.]

FRIEND WM. RICHARDSON,

Governor of the State of California.

By the Governor:

FRANK C. JORDAN, Secretary of State.

By FRANK H. CORY, Deputy.

PARDON OF T. H. HEAPE.

Trafford Henry Heape was convicted in Los Angeles County of the crime of grand larceny by trick and device and on October 30, 1924, was sentenced to serve an indeterminate term of from one to ten years in the state prison at San Quentin. After the determination of an appeal, he was received at the State prison on August

15, 1925, and given No. 41161. Prior to his incarceration in the State penitentiary he had been confined five months in the Los Angeles County jail, making his total imprisonment for the crime for which he was convicted up to the present time, with credits allowed for good behavior, more than one year and seven months.

The crime of which Heape was convicted grew out of a real estate transaction with somewhat complicated details, all of which it is unnecessary to state. Heape entered into a business partnership with one T. C. Hughes for the purpose of building and selling houses. They entered into a contract with Bruce Gordon Kingsley whereby Kingsley was to advance \$250 and a trust deed, the face value of which was \$1,019, which money was to be used in the purchase of a lot and erection of a house to be sold in ninety days and out of the proceeds Kingsley was to receive his money back, plus the remarkable profit of \$1,000. Kingsley put up his money and security, but Heape and Hughes failed to purchase the lot or erect the house, and in due time Kingsley, becoming dissatisfied, demanded his money back, but failed to receive it. In the meantime, it appears that the trust deed had been disposed of and the proceeds used for other purposes. The criminal complaint followed, although it appears from evidence not submitted to the jury that Kingsley attempted to use the criminal process as a means of collecting his money, plus his contemplated profit, and made representation to Heape that if he would pay to him approximately \$3,000, Kingsley would secure the dismissal of the criminal action. In pursuance of such understanding, Heape executed a promissory note in favor of Kingsley and turned over to him an equity in his home by way of restitution. Subsequent to the trial, Kingsley dispossessed Heape's family and took possession of the house.

The complaint, however, was not dismissed and Heape went to trial. His attorney withdrew from the case immediately before the trial. Heape secured a new attorney and the judge refused to grant a continuance in order that the attorney might post himself on the facts in the complicated case. Hence, Heape was improperly represented and evidence that could have been presented to the jury was not presented. From evidence developed subsequent to trial and which has been submitted in connection for pardon, it appears that Heape entered into the contract with Kingsley in good faith and turned the money and trust deed over to his business associate, Hughes, but that Hughes converted the money and proceeds from the sale of the trust deed to his own use.

In addition to the loss of his home, Heape lost approximately \$3,500 advanced to Hughes in connection with their brief relationship. Hughes was subsequently convicted of embezzlement in connection with another transaction and is now incarcerated in the State prison.

The complaining witness, Bruce Gordon Kingsley, was particularly vindictive at the trial and at the time Heape asked the judge for probation. Since the trial Kingsley says he has become convinced of the innocence of Heape, is deeply repentant of the mean part he played as prosecutor, and has filed two affidavits and various statements in which he says in part as follows:

"That affiant since the trial of said cases received new information which caused him to believe that it was rendered impossible for said Heape to carry out his contract with affiant because of the very money upon which the defendant was depending, and which was necessary for the fulfillment of said contract was withheld from Heape by his business associates; that said new information consists of the affidavits of Claude A. Shutt, Edgar L. Martin, and data consisting of documents showing that Heape was depending upon the action of one T. C. Hughes, his business associate, for the necessary financial support with which to complete said contract and that said T. C. Hughes, who has since been convicted of embezzlement, failed and refused to supply the necessary funds which Heape had the right to expect and did expect from said Hughes; that on account of new information obtained since the aforesaid trial affiant believes that the said Heape is not to blame for the crime of which he stands convicted."

The affidavits referred to in the above statement have been filed in connection with the application for pardon and tend to show the facts as hereinabove set forth.

Asa Keyes, district attorney of Los Angeles County, has made a statement in the case at my request under section 1420 of the Penal Code, in which he says in part:

"From a careful perusal of the transcript of the testimony in this case, I believe that it fails to show the commission of the crime of grand larceny by Heape. The theory of the prosecution at the trial undoubtedly was that at the time Heape obtained this money and trust deed from Kingsley he had larceny in his heart and did not intend to complete or carry out the contract which he made. From Mr. Heape's testimony at the trial, I am satisfied and at a loss to understand why the jury did not so find that Mr. Heape never at any time intended to steal either the \$250 or the trust deed which had been entrusted to him by Kingsley and I believe that if he had been properly defended and all of the facts brought out at the trial which could have been produced in his defense, he would never have been convicted.

"I believe from what I have learned subsequent to his conviction that the failure of Mr. Heape and his partner, Hughes, to carry out their contract with Kingsley was due entirely to the fault of Mr. Hughes (Heape's partner) in not producing as he had promised the proper financial backing to carry this deal through.



"Mr. Heape's attorney did not ask a single question of the most important witness on cross-examination nor did he call Mr. Hughes in Mr. Heape's defense. The testimony of this man is particularly important when it is remembered that Mr. Heape testified positively that although he had received this money, the same had been disbursed on Mr. Hughes' order and for his benefit and that he was unable to complete this deal for Kingsley by reason of the fact that Hughes had spent this money and had failed to produce other capital which he had promised for the carrying out of this contract. From this testimony, I am of the opinion that Mr. Heape did not commit the crime of grand larceny as found by the jury and that his application for pardon should be granted."

The district attorney criticises Heape's attorney by saying that he improperly defended his client. As it is the duty of the district attorney to seek justice rather than conviction why did he not advise the jury to acquit? This is the sixth pardon I have given men convicted in Los Angeles County and later declared innocent by the district attorney.

Judge Carlos S. Hardy, who presided at the trial, was strongly of the opinion that Heape was guilty. When Heape applied for probation Judge Hardy brought out the facts of bad check transactions on Heape's part. Until just recently Judge Hardy has maintained Heape guilty. After reviewing new evidence Judge Hardy says:

"In consideration of these matters, I respectfully recommend pardon for Mr. Heape."

Nine of the twelve members of the jury have signed statements in which they state that they have reviewed new evidence not produced at the time of the trial and that "had said evidence been presented to the jury I would have voted for an acquittal instead of conviction. It is my opinion that there has been a miscarriage of justice and that a pardon should be granted by the Governor." This statement can not be considered of great weight, as the jurymen were probably strongly solicited. Still, the statement is entitled to some consideration.

I have carefully reviewed the evidence presented at the trial and the affidavits containing additional information which was not submitted to the jury. I do not feel that Heape was entirely blameless in the matter or had been entirely upright in his financial transaction. He made extravagant promises of profits amounting practically to a get-rich-quick scheme and did not properly safeguard the money turned over to him by Kingsley. He should have known that he could not have returned the huge profits promised within the time specified in the contract without material loss and he should have been prepared to meet such a loss before entering the contract. However, from all the facts and circumstances, I feel that Heape has been sufficiently punished, and that he will become a good citizen after this severe lesson. In view of the recommendation of the district attorney, the trial judge, and the prosecuting witness and the jurymen, I feel that he should be pardoned.

Now, therefore, by the virtue of authority vested in me by the constitution and statutes of the State of California, I hereby pardon Trafford Henry Heape of the crime of grand larceny by trick and device.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, this 24th day of September, 1926.

[SEAL]

(Signed) FRIEND WM. RICHARDSON.

Governor of California.

By the Governor:

(Signed) FRANK C. JORDAN, Secretary of State.

By (Signed) FRANK H. CORY, Deputy.

#### PARDON OF C. A. MCCORMICK.

Clifford A. McCormick was convicted in the superior court of Los Angeles County of the crime of first-degree robbery on two counts, and was sentenced on November 29, 1924, to the term prescribed by law. The judgment was affirmed by the appellate court and he was subsequently received at the state prison at San Quentin on July 10, 1926, where he was given No. 42429.

McCormick was charged jointly with one Carey Wilson. A separate trial was requested but denied. It was charged that McCormick, in company with Wilson and Godfrey H. Cowdrey participated in two robberies, one being the holdup of the Sultan Turkish Baths in Los Angeles and the second the holdup of a passenger bus belonging to the Los Angeles Railway. At the time of the trial, McCormick interposed the defense that during the time he had associated with Cowdrey and Wilson (and appeared to be planning the commission of the crimes) he was acting as a private detective under instructions of and securing information for his employer, J. N. Pyles Detective Agency.

The jury was undoubtedly justified in disbelieving his story on the basis of the evidence adduced at the trial. However, since the trial additional evidence has been developed, which has been carefully investigated, showing that McCormick's story was true and that he assisted the law enforcement officers by giving information relative to crimes committed by Wilson and Cowdrey.

During his association with these criminals as a detective, McCormick learned that Cowdrey had murdered one Joseph Langley during a holdup in Los Angeles. This information was conveyed to the authorities and Cowdrey was subsequently identified by a witness to the killing and convicted of murder in the first degree. McCormick testified against Cowdrey at the murder trial and was instrumental in securing the conviction. Cowdrey, after his conviction, was bitter against McCormick and was used by the district attorney as one of the principal witnesses against McCormick. Being under life sentence, Cowdrey had little to fear on account of perjury.

Some of the newly discovered evidence which has convinced me of McCormick's innocence is the following:

McCormick's employer, J. N. Pyles, called at the office of the sheriff of Los Angeles County and advised that he had an "under cover" man associating with some known criminals and that it would be necessary for him to appear to be associating with them in the commission of crime in order to secure evidence against them. McCormick reported the plans to commit the crimes to his employer but it appears that Pyles, being anxious to secure rewards and full credit for the detection and conviction of those responsible for the commission of the crimes, particularly in connection with the murder of Langley, was not frank in disclosing all the information in his possession to the officials. However, through information given by McCormick a holdup of the Leighton Cafeteria in Los Angeles was frustrated and Cowdrey and Wilson taken into custody. Subsequently, McCormick gave the sheriff's office full information relative to the crimes in which he appeared to be participating. The cooperation of McCormick with the officials and the fact that Pyles had previously furnished information to the sheriff's office was not properly presented in evidence, possibly, because of the fact that McCormick was represented by the attorneys of J. N. Pyles who were primarily instrumental in protecting Pyles from criticism and against the loss of his detective license.

At the trial of McCormick the two deputies district attorney who prosecuted the codefendants both represented and stated in their arguments to the jury their belief that McCormick had committed perjury in testifying against Cowdrey; that his story in the Cowdrey case was unworthy of belief and that they intended to apply to the Governor for a pardon on behalf of Cowdrey, believing him innocent. I am unable to ascribe a motive on the part of the district attorney's office in prosecuting McCormick and making such representations to the jury. The district attorney's office of Los Angeles County and neither of the deputies who prosecuted McCormick or Cowdrey have ever attempted to secure a pardon for Cowdrey. Additional evidence has been presented strengthening the guilt of Cowdrey and supporting the testimony of McCormick at Cowdrey's trial. Such evidence includes affidavits made by inmates of the county jail as to damaging admissions of guilt made by Cowdrey and an affidavit made by Carey Wilson to the effect that he was present at the time of the confession made by Cowdrey to McCormick concerning which the latter testified at McCormick's trial.

I have requested Asa Keyes, district attorney of Los Angeles County, to investigate the facts of this case and furnish a statement to me under section 1420 of the Penal Code. I have been unable to secure any expression from District Attorney Keyes relative to this case. His assistant, Charles W. Fricke, has expressed himself as not favorable to the granting of a pardon, asserting that "I feel from the entire record that the defendant McCormick was fairly and justly convicted of the crimes with which he was charged." Mr. Fricke has not expressed his personal opinion as to the guilt or innocence of McCormick. Arthur Keetch, the judge who presided at the trial of McCormick and Wilson, and who has carefully examined the evidence discovered subsequent to the trial, has recommended a pardon. I quote in part from his statement as follows:

"I am heartily in sympathy with the application and believe it is a proper one for executive clemency, particularly in view of the fact that no jurisdiction remains in the courts to grant the relief which, I am convinced, the case demands. I denied the motion for a new trial because the legal ground for the motion was insufficient. I am satisfied, however, that had I known at that time as much as I do now, I should have granted the motion. I am also satisfied, in the light of subsequent knowledge that the motion for a severance of the trial of McCormick from that of Carey Wilson could have been granted.

"I am satisfied in my own mind that if there was not actually a suppression of evidence during the trial of the case, as far as McCormick was concerned, much evidence of a vital character in support of the defense that he was acting as a detective and feigned accomplice was not presented. The fact, as stated in the affidavit of Mr. Harry Wright, the chief deputy in the Sheriff's office, that he had instructed his subordinate, Harvey Bell, to take steps to protect McCormick by calling the attention of the District Attorney to the fact that he was acting as a detective, and which Harvey Bell admits he neglected to do, was of the most vital importance to McCormick, and there are other matters set out in the petition and supported by affidavits, which were of equal importance to him in the trial of the case before a jury,

Furthermore, the fact that McCormick was jointly charged and jointly tried with Carey Wilson, against whom the evidence was unequivocal and convincing, undoubtedly was greatly prejudicial to McCormick if the jury believed he was a real accomplice and not a feigned one.

"In view of all the facts and circumstances which now appear in the case, I am satisfied that if the judgment is enforced it will result in a miscarriage of justice. I, therefore, earnestly join in the request for executive clemency at the hands of the Governor."

R. H. Wright, chief criminal deputy of the sheriff's office of Los Angeles County, has made a careful investigation of all the facts and circumstances relative to the association of McCormick with Cowdrey and Wilson and his alleged participation in the crimes for which he was convicted and has recommended unconditional pardon. He says in part:

"In talking with McCormick relative to this robbery, I am firmly convinced that he was placed in a position of carrying out this robbery because if he 'back fired' from this job, it is most probable and likely that Cowdrey and Wilson would never have been brought to justice for the commission of the crime for which they were convicted and they might have gone on indefinitely committing numerous crimes of violence which perhaps might have resulted in the death of other persons as in my opinion they were criminals of the most desperate kind."

Mr. Wright states that Detective Pyles came to him before the commission of the crimes and stated that he had an "under cover" man working with Cowdrey and Wilson and desired to have him protected and that he, Wright, instructed a deputy sheriff to arrange with the district attorney's office for McCormick's protection and subsequent immunity. Why this was not done has not been satisfactorily explained. Mr. Wright states in conclusion:

"I have given this case a great deal of thought, and have come to the conclusion that it is a case in which executive clemency should be granted. I firmly and sincerely believe that McCormick was a bona fide operative of the Pyles Detective Agency, and was so at all stages of the proceedings, and that at no time did he ever depart from his true character as an operative, and that in his participating in the La Brea bus job he did so believing that it was necessary in order to carry out the purposes of his employment, and I sincerely hope that His Excellency, Governor Richardson, will grant an unconditional pardon to this man. I have no personal interest in this matter other than to do all in my power to see that justice be done, and I sincerely hope that the Governor can see this case the same as I do."

E. Raymond Cato, assistant captain of detectives of the Los Angeles police department, has made a statement in which he says in part:

"It was my opinion at the time that McCormick was arrested, and this was substantiated later by the results of my investigation, that McCormick at the time he committed the robberies for which he was convicted, was working under the instructions and in the belief that Deputy Sheriff Harvey Bell and Pyles would protect him in his acts in order to secure evidence against Godfrey Cowdrey and Carey Wilson, co-defendants with McCormick. In conversations with me after his arrest, McCormick expressed the belief that he had nothing to fear and that his actions had been in accordance with instructions from the officers for whom he was operating."

Statements of several of the members of the jury have been filed in this office in which the jurors state that had the additional evidence been presented at the time of the trial and that had it been clearly made to appear that McCormick was in the employ of a private detective agency and working in connection with such employment at the time of the commission of the crimes for which he was charged, they would have voted for a verdict of acquittal.

After carefully reviewing the facts of this case, I have reached the conclusion that not only was McCormick acting in the course of his employment as a private detective at the time the crimes were committed, but that he was acting in the interest of justice in securing evidence against dangerous criminals and I feel, as does Judge Keetch, that the carrying out of the judgment would amount to a miscarriage of justice. It is regrettable that the district attorney's office of Los Angeles County did not properly investigate this case or if the facts were known that the truth was not fully presented to the jury.

For the reasons above stated and pursuant to authority vested in me by the constitution and laws of the State of California, I, Friend Wm. Richardson, Governor of the State of California, hereby pardon Clifford A. McCormick on account of his conviction of two charges of robbery.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, this 21st day of December, 1926.

[SEAL]

FRIEND WM. RICHARDSON,

Governor of California.

By the Governor:

FRANK C. JORDAN, Secretary of State.



## EXECUTIVE CLEMENCY DENIED.

Executive clemency has been denied in a large number of cases. The reasons for denial in a few of the more noted cases are included herewith in order that my policy in such matters may be fully understood.

## CLARENCE (ALIAS "TUFFY") REID CASE.

A strong effort was made to secure the pardon, or commutation of sentence, of Clarence Reid of Los Angeles, convicted of murder and sentenced to be executed. More than fifty thousand persons signed petitions asking Reid's release. Certain sensational newspapers waged a strong campaign with the object of intimidating me, so that a miscarriage of justice might be forced. Offers of political support and threats were resorted to. Plain lying about the facts in the case filled the columns of a certain newspaper published in Los Angeles.

In denying the pardon I released for publication the following statement:

"The murder of Charles Weingarten, a Los Angeles merchant, by Clarence (alias "Tuffy") Reid, was one of the most cruel and cold-blooded of the many murders I have reviewed. Reid was doubly prepared for murder and when the deceased grabbed his right hand Reid deliberately reached in his pocket with his left hand for another pistol with which he killed the merchant. Reid then cursed his partner in crime for not shooting. Thus incited, his partner fired. Then the murderers fled. Reid had a fair trial and the higher courts have approved the verdict. The fact that Reid was a user of drugs aggravates rather than palliates his cold-blooded crime. Drug users should pay the penalty for their crimes. While in the county jail Reid entered into a plot for a general jail delivery and would have killed a turnkey but for the timely aid of a guard. Reid is a confirmed criminal with a long career of crime from the reform school to the murder.

"An affidavit presented by Lawrence McMullen, who was Reid's partner, is so inconsistent and conflicting that it deserves no consideration. The sympathy in this case should go out to the unfortunate victim and his family. When Reid pays the penalty for his crime it will be a solemn warning to other criminals that California is not a safe place for murderers, and that no influence, however powerful, of journalists, politicians, attorneys, or the sob sisters can avail to prevent the law being enforced. Threats of personal and political reprisal will not deter me from doing my duty."

## FALSE STATEMENT OF REID'S PARTNER.

Lawrence McMullen, a prisoner serving a life term sentence in San Quentin, the partner with Clarence (alias "Tuffy") Reid, in the murder of Charles Weingarten, a Los Angeles merchant, confessed after Reid was hung that the affidavit made by him at the request of Assemblyman Dodge, before the hanging of Reid, was entirely false and was made for the sole purpose of securing for Reid a commutation of sentence. In an affidavit voluntarily made to a member of the prison board McMullen said:

"That on February 13, 1925, I signed a statement, purporting to be a confession, testifying to the alleged fact that I, Lawrence McMullen, and not Clarence Reid, fired the shot which killed one Charles Weingarten in Los Angeles on January 21, 1923. That the statement sworn to by me on said February 13, 1925, and especially as to the part thereof in which I confessed the killing of Weingarten, is wholly and completely false, and was made solely for the purpose of exonerating Clarence Reid in the hope of securing for him a commutation of sentence, and that the shot which killed Weingarten was not fired by me."

This affidavit was sworn to before a notary public in Marin County. McMullen said that it was considered good ethics among prisoners confined at San Quentin to make any affidavit or statement necessary to save their companions from execution. He laughingly ridiculed that part of his affidavit secured by Assemblyman Dodge wherein he said he had dyed his hair from its natural red to black. McMullen said he had never dyed his hair in his life and the false affidavit was made in order to meet the insistence of Reid's friends to help his partner in crime.

## CASE OF CHARLOTTE A. WHITNEY.

One of the most noted cases in which I have been asked to grant a pardon was that of Charlotte A. Whitney of Oakland, convicted of violating the criminal syndicalist law. Hundreds of citizens wrote asking me to grant a pardon. Some worthy citizens mistakenly joined in the plea. Anarchists, syndicalists and Bolsheviks from all over the United States took this occasion to spread their false propaganda and to make the untruthful claim that Miss Whitney was to be imprisoned for merely expressing an opinion. That she was convicted for her acts of syndicalism and not for what she said, did not prevent the continued reiteration of the false statement. Some of the yellow metropolitan press, of course, aided in the campaign.

In the following letter to Upton Sinclair I expressed my convictions regarding the case:

October 31, 1925.

Upton Sinclair,  
Pasadena, California.

Dear Sir:

I have your letter of the 28th inst. asking a pardon for Miss Charlotte A. Whitney, who was arrested on November 28, 1919, and convicted of criminal syndicalism by a jury in the superior court of Alameda County on February 20, 1920. This verdict was upheld by the State appellate court, the State Supreme Court, and recently by the United States Supreme Court. Her powerful influence and wealth has kept her out of prison for nearly six years. Other violators of this law, who have lacked this influence, have been serving their terms in prison.

Many others have written and telegraphed me regarding this case. The tenor of your letter and the letters of some others is that I should respond to popular clamor and release this woman without any showing of a mistrial or even an application from her for a pardon. Applications for pardons are considered by me in an orderly manner, based on facts presented in written documents. The humblest prisoner is given the same opportunity to be heard as the richest and most powerful offender.

You ask me to set aside the verdict of a jury which heard all the testimony and found her guilty, and to nullify the decisions of the courts. You say she was convicted for merely "holding a political opinion," but the decision of the Supreme Court shows she was convicted of criminal syndicalism as defined by the law.

You say: "I know your views concerning the criminal syndicalism law." This is a loose statement made without investigation of facts. The act defining criminal syndicalism and prescribing penalties for its violation was passed by the Legislature of 1919, by unanimous vote in the Senate and only nine noes in the Assembly, and approved by Governor Wm. D. Stephens. It was considered so important that it was adopted as an emergency measure as "necessary to the immediate preservation of the public peace and safety" and became effective April 30, 1919.

During my term as Governor, two attempts have been made to repeal the law, one at the legislative session of 1923 and one at the 1925 session. Both attempts failed in the Legislature and the bills did not reach the Governor. Officially I have never had occasion to act upon or comment upon this law. Under these circumstances I ask that you correct your statement.

While I had no part in the passage of this law, still I have taken an oath to support the constitution and the laws of the State. It is my duty to stand for the enforcement of all the laws. The law penalizing criminal syndicalism is just as solemn and binding as the laws against murder, robbery, treason, arson and other crimes. Those who object to the criminal syndicalism law should appeal to the Legislature or take the matter direct to the people by initiative. To ask me to nullify the law is to ask me to violate my oath and set myself against the will of the people as expressed through the Legislature.

While I am Governor I propose to stand staunchly for the laws of the State and to support the constitution. Those who have been convicted, after fair trials by juries, sustained by decisions of courts, can not expect to escape punishment of their crimes by appealing to me. It is my duty to stand up for the laws and to protect society, and I will not issue pardons merely because of popular clamor.

Yours sincerely,

FRIEND WM. RICHARDSON, Governor.

#### CASES OF TANKO AND HALL.

A reward was offered by me for the arrest and capture of Joe Tanko and Floyd Hall, two life termers who escaped from the State prison. These young men committed a particularly cold-blooded murder in San Mateo County. The city marshal of San Bruno apprehended them for violating a traffic rule and followed them on a motorcycle and tried to stop them. They ran him into the curb and caused him to fall off of his motorcycle, thereby he broke his leg. Then these young criminals stopped their car and went back and shot the officer in cold blood as he lay on the ground. The jury, owing to "sob sister" influence, gave them life imprisonment. These men had criminal records and had been in reform schools in another State. While in State prison they succeeded in escaping and terrorized different communities, killed one citizen and wounded an officer. If society is to be protected against murderers the law must be rigidly enforced. It is particularly important that every criminal who murders a police officer should be severely dealt with as these officers are simply representing the majesty of the State, and when a criminal attacks an officer he is in effect defying the whole people of the State. I sincerely hope that the criminal exploits of these two young murderers will be a warning to kind-hearted but misguided jurors in murder cases.

## FERDINAND, SEARS AND GEREAC.

The three men named above convicted in Los Angeles County and sentenced to be executed. After a careful review of their crime I made the following statement:

"More than a year ago three men, named Ferdinand, Sears and Gereac, were arrested in Los Angeles charged with murder. They were subsequently tried and sentenced to be hung in January of this year. These three men engaged in rather promiscuous holdups of automobile parties. On the night of the crime they were in an automobile which they parked and then went a short distance to where two men and two women were in a car standing along the side of the street. The criminals had figured that in cases of this kind, where men were out with women not their wives, they suffered very little danger of apprehension, as the victims would prefer to suffer financial loss rather than gain publicity. After holding up these two couples and taking their valuables, the three criminals rode on the running board of the car, and with drawn pistols compelled the owner of the car to drive on until they came to another car standing alongside of the road, in which was a third couple of a man and a woman not his wife. Ferdinand and Sears got off the running board and held up this third couple, while Gereac stayed on the running board and kept the first two couples under subjection. Ferdinand stood in front of Chapman, the male member of the third couple, and took from him his pocketbook and other valuables and then went behind him, and while behind him, while the poor victim was holding his hands in the air and offering no resistance whatever, he deliberately shot him in the back and killed him. The victim fell forward and then Ferdinand turned him over and continued his search, finding some money in his watch pocket. Then the three criminals jumped on the running board and compelled the driver to conduct them further up the street, where they came alongside of another car parked at the roadside, in which was a fourth couple consisting of a man and a woman not his wife. This fourth couple were compelled to get out of their car and they were also robbed. After that the criminals again mounted on the running board and compelled the driver to drive them back into the vicinity of where their own car was located. When they arrived there, the criminals turned off the lights, took the key out of the car and threw it down, and then ran to their own car and got aboard and went back to their rooms in Los Angeles.

"I have looked into this case very carefully and read the transcript and the statements of the criminals after their sentence, and various letters and documents in connection with the matter. The evidence at the trial was overwhelming as to the guilt of all three of the defendants, and the Supreme Court has sustained the sufficiency of the evidence to warrant the convictions.

"The crime which these three criminals committed is such a serious one that it is necessary that something drastic be done to warn other criminals that crimes of this kind will be punished severely, and that there are in California juries, judges and other officials who will not listen to the pleas of criminals, but will stand firmly by the law and see that it is enforced, so that it may be a lesson to criminals generally. It is a sad thing that these three young men should have engaged in wholesale robbery of this kind. It is particularly sad that they should have mothers and other relatives who have suffered on account of their crimes. It is tragic that they should have intentionally murdered a man by shooting him in the back, but this is not a matter for sentiment. This is a matter where society must be protected, where the law must be upheld, and where an example may be made which will help sustain the very foundations of society.

"After a full investigation of the matter, I am firmly convinced that the verdict of the jury in condemning these men to be executed was warranted by the facts, and that Gereac and Sears are equally guilty with Ferdinand although they did not fire the fatal shot."

## ALEXANDER A. KELS CASE.

A statement was issued by me on the case of Kels, the Lodi murderer, on January 2, 1924, in which I said:

"Alex A. Kels committed one of the most cold-blooded and deliberately planned murders in the history of the state. His victim was a workingman unknown to his assassin. Kels, after his flight and arrest, appeared in court, plead guilty, calmly told all the details of his brutal crime (too horrible to be repeated here), was carefully cross-examined by the court, was subsequently examined for his sanity, and then sentenced to death by the superior judge of San Joaquin County. The laws as enacted by the people were carefully carried out.

"Since his commitment to state prison Kels has been repeatedly examined and found sane. The statement made by Mrs. Kels shows she knew nothing of the crime and she gives no extenuating circumstances.

"The Governor may, for good reasons, commute sentences but in this case there is not a single fact on which to base any such action. To subvert the



will of the people in this case would be to violate my oath of office and deserve impeachment.

"The wife and young children of the murderer deserve sympathy but it should be remembered that Kels deliberately brought this sorrow and disgrace upon them. It should not be forgotten that the man so foully murdered was a poor wandering, friendless laboring man.

"This case has brought to public notice the foul methods of the yellow press, which will even prey upon the grief of a wife and the sorrow of young children to intimidate officers who refuse to bow to their yoke.

"The law as enacted by the people must take its course and Kels must pay the penalty of his horrible crime. His fate should be a warning to criminals that the laws will be enforced in California and that influences, no matter how powerful, can not prevent their execution."

#### THE LINDSLEY CASE.

In denying the application for pardon of Alfred Lindsley, a Eureka editor, confined in the county jail of Humboldt County for contempt of court, I emphasized the importance of respect for the law and the viciousness of the policy of certain yellow journals in attempting to intimidate the officials of the courts and said:

"Alfred Lindsley was found guilty of contempt of court and sentenced to pay a fine of \$2,000, with the alternative of 1000 days in the county jail of Humboldt County. Not having paid his fine he is now in jail.

"The question of the liberty of the press is not involved in this case. The contempt was based upon the finding of the superior court that Lindsley had published four articles in his newspaper for the deliberate purpose of influencing the judgment of jurors and witnesses, to embarrass the judge and to interfere with the administration of justice. Lindsley did not deny that his purpose in publishing the articles was to interfere with the administration of justice. His application for pardon is based upon a plea that the sentence is excessive.

"Lindsley has had his day in court and his case has been passed upon by the appellate and Supreme courts of this State. His legal and constitutional rights have not been violated. The issue presented to me is one of maintaining respect for the courts and a fair trial for those charged with crime, and has nothing to do with the liberty of the press. A fair trial, in my opinion, means not only one which is fair to the accused but also fair to the people. The rights of the people must be considered as well as the rights of the one accused. The sentence of Lindsley should stand, in my opinion, and he deserves the punishment inflicted.

"He attempted to interfere with the administration of justice and exhibited contempt for the courts. I have read several copies of Lindsley's newspaper and articles written by him. His newspaper is of the gutter type and his articles clearly attempt to intimidate the courts and prejudice the public and thus create a miscarriage of justice. His punishment should be an object lesson to some of the yellow journals in our metropolitan cities.

"After carefully reviewing the case I am convinced that Lindsley's acts are not a credit to the journalistic profession, and that he does not deserve the sympathy of any respectable newspaper publisher or editor."

Respectfully submitted.

FRIEND WM. RICHARDSON, Governor.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 1—Relative to canvassing vote for Governor and Lieutenant Governor.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ONE.

Senator Breed asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 1, without reference to committee. Unanimous consent granted.

#### ASSEMBLY CONCURRENT RESOLUTION No. 1.

Relative to canvassing vote for Governor and Lieutenant Governor.

*Resolved by the Assembly, the Senate concurring.* That the Senate and Assembly meet in joint session in the Assembly Chamber at eleven o'clock on the forenoon of

Tuesday, January 4, 1927, for the purpose of being present when the Speaker of the Assembly shall open and publish the returns of the election for Governor and Lieutenant Governor, as provided and required by article V, section 4, of the constitution of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Messrs. Jacobson, Walters and McDonough, and Mrs. Woodbridge as a committee in accordance with the provisions of Senate Concurrent Resolution No. 1.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, First Assistant Clerk.

#### RESOLUTION.

The following resolution was offered:

By Senator Slater:

*Resolved*, That the Controller be, and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred dollars, for rubber stamps, expressage and postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

#### APPOINTMENTS BY SECRETARY.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that in accordance with the authority vested in me by section 237 of the Political Code, I have this day appointed Albert Brady, Assistant Secretary and Clerk of the committee on printing, at a per diem of \$9.00; Fred Cairns, Assistant Secretary, at a per diem of \$7.00, and Walter Lindersmith, Assistant Secretary, at a per diem of \$7.00, and respectfully ask the consent of the Senate thereto.

J. A. BEEK, Secretary of the Senate.

Senator Crowley moved the appointments be confirmed by the Senate. The question being upon the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Supervisor James B. McSheehy, member of the Board of Supervisors of San Francisco.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Fred Duffy, attorney from San Bernardino, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. John F. Galvin, publisher of the Richmond Daily Independent, Richmond, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Arthur McLennan, motion picture director, of Hollywood, California.

At the request of Senator Evans, the privilege of the floor of the Senate Chamber was this day granted to Fred T. Beatty, supervisor from Los Angeles County.

#### CONSIDERATION OF SENATE BILL NUMBER ONE.

Senator Inman asked for and was granted unanimous consent to take up for consideration Senate Bill No. 1, without reference to committee.

#### CASE OF URGENCY.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Senate Bill No. 1 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 1.



## SECOND READING OF SENATE BILL NUMBER ONE.

Senate Bill No. 1—An act to amend section 626 of the Penal Code, relating to the protection of game, and making the same an urgency measure.

Bill read second time, considered engrossed, and ordered on file for third reading.

## URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California and shall take effect immediately.

The facts constituting such urgency are as follows:

The federal migratory bird act customarily provides for an open season on migratory birds corresponding with the open season in this state. The last federal act provided for a longer open season than that provided by the statutes of this state. If the open season does not correspond to that specified under the federal act many persons might be penalized under the statutes of this state for offenses, which under the federal act, would be lawful, and will be deprived of any benefits conferred by the provisions of the federal act.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—40.

NOES—None.

Title read and approved.

Senate Bill No. 1 ordered transmitted to the Assembly.

## REPORT OF SPECIAL COMMITTEE.

Senator Boggs advised the Senate that the committee on the inaugural ceremonies had concluded its work and that all arrangements in connection with the inauguration of the Governor-elect and the Lieutenant Governor-elect had been completed.

## ANNOUNCEMENT BY THE PRESIDENT PRO TEMPORE.

Hon. A. H. Breed, President pro tempore of the Senate, announced that the Assembly would be ready to receive the Senate at the hour of eleven o'clock a.m. of this day to canvass the returns of the election of Governor and Lieutenant Governor.

## RECESS.

At ten o'clock and fifty-five minutes a.m., on motion of Senator Crowley, the President pro tempore declared the Senate at recess for the purpose of meeting with the Assembly in Joint Convention.

## IN JOINT CONVENTION.

## ASSEMBLY CHAMBER.

SACRAMENTO, Tuesday, January 4, 1927.

At eleven o'clock a.m., the Senate and Assembly met in Joint Convention.

Hon. Edgar C. Levey, Speaker of the Assembly, directed that Hon. Arthur H. Breed, President pro tempore of the Senate, be escorted to the chair.

The President directed the Secretary of the Senate to call the roll of Senators.

## SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—39.

The President declared a quorum of the Senate present.

Hon. Edgar C. Levey, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

## ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names:

Adams, Anderson, D. P., Anderson, Roscoe J., Badham, Ball, Baum, Bernard, Bishop, Brock, Burns, Byrne, Carter, Cloudman, Cloudsley, Coombs, Crawford, Crittenden, Croter, Davis, Deuel, Dillinger, Duval, Easley, Eddy, Feigenbaum, Finley, Fisher, Flynn, Foster, Fry, Gant, Hawes, Hodges, Heisinger, Hornblower, Jacobson, Jespersen, Jewett, Jones, Jost, Keaton, Kelsey, Lenahan, Leymel, Little, Lyons, McDonough, McPherson, Melville, Miller, Eleanor, Miller, J. A., Mixer, Morrison, Murphy, Nielsen, Noyes, Oliva, Parkman, Patterson, Reindollar, Roberts, Roland, Scofield, Scudder, Sewell, Smith, Snyder, Spalding, Walters, Wemple, West, Williams, Williamson, Witter, Woodbridge, Woolwine, Wright, and Mr. Speaker—78.

The Speaker declared a quorum of the Assembly present.

## REGULAR ORDER OF BUSINESS.

By direction of the President pro tempore of the Senate, the Secretary of the Senate read sections of the constitution of the State of California and sections of the Political Code of the State, which provide for the two branches of the Legislature meeting in joint convention for the purpose of canvassing the votes cast for Governor and Lieutenant Governor, as follows:

## Constitution:

Section 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor.

Section 15. A Lieutenant Governor shall be elected at the same time and place, and in the same manner, as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall have only a casting vote therein.

### Of the Political Code:

Section 1292. When an election has been held to fill the office of Governor or Lieutenant Governor, the clerk of each county, in addition to the abstract made for transmission to the Secretary of State, must as soon as the statement of the vote of his county is made out and entered upon the records of the boards of supervisors make two certified abstracts of so much thereof as relates to the vote given for such officers.

Section 1293. The clerk must seal up each abstract separately, and indorse thereon "Election Returns for Governor and Lieutenant Governor."

Section 1294. He must at once direct one copy to the Speaker of the Assembly next to meet, address it to Sacramento, California, and deposit it, postpaid, in the post office.

Section 1295. The other copy he must direct and address, in the same manner, and at once deliver it to a member-elect of the Legislature, or to a Senator who holds over; and the person to whom it is so delivered must deliver it to the Speaker on or before the second day next after his election.

Section 1296. The returns of election for Governor and Lieutenant Governor must, during the first week of the session, be opened, canvassed, and the result declared by the Speaker of the Assembly, in presence of both houses.

Section 1297. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election if it can with reasonable certainty be ascertained from such return what office is intended, and who is elected thereto.

### ANNOUNCEMENT.

The Speaker of the Assembly announced that the election returns from all the counties in the State had been received and were now at the desk, and that the Joint Convention would proceed with the opening of the returns from the recent election for Governor and Lieutenant Governor of the State of California.

### APPOINTMENT OF TELLERS.

The Speaker of the Assembly appointed as tellers on the part of the Assembly, Messrs. Isaac Jones and Spalding.

The President pro tempore of the Senate appointed as tellers on the part of the Senate, Senators Nelson and H. C. Jones.

Canvass of the returns was thereupon made, and the tellers reported:

#### FOR GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Governor of the State of California was announced as follows:

C. C. Young	814,815
J. C. Wardell	282,451
Upton Sinclair	45,972
Scattering	874

Whereupon the Speaker of the Assembly declared C. C. Young duly elected Governor of the State of California for the next succeeding four years.

#### FOR LIEUTENANT GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Lieutenant Governor of the State of California was announced as follows:

Buron Fitts	818,519
Charles Dunbar	204,091
L. M. Lewis	55,506
Scattering	47

Whereupon the Speaker of the Assembly declared Buron Fitts duly elected Lieutenant Governor of the State of California for the next succeeding four years.



## RESOLUTION.

The following resolution was offered:

By Mr. Jacobson:

*Resolved*, That the hour of two o'clock p.m., on Tuesday, January 4, 1927, be appointed the time when, and the Assembly Chamber in the State Capitol, Sacramento, California, the place where, the Governor and Lieutenant Governor-elect shall take the official oath in the presence of both houses of the Legislature in Joint Convention assembled, as required in and by section 905 of the Political Code.

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action, and that when this Joint Convention adjourns it adjourns to meet at the hour and place aforesaid.

Resolution read, and on motion of Mr. Jacobson adopted.

## READING AND APPROVAL OF MINUTES.

The minutes of the Joint Convention were then read, and on motion of Assemblyman Feigenbaum approved.

## ADJOURNMENT.

At eleven o'clock and thirty minutes a.m., the President pro tempore of the Senate declared the Joint Convention adjourned until two o'clock p.m., of Tuesday, January 4, 1927.

## IN SENATE.

At eleven o'clock and thirty minutes a.m., the Senate reconvened.  
President pro tempore Arthur H. Breed in the chair.

## RECESS.

At eleven o'clock and fifty minutes a.m., on motion of Senator Crowley, the President declared the Senate at recess until the hour of one o'clock and fifty minutes p.m.

## RECONVENED.

At one o'clock and fifty minutes p.m., the Senate reconvened.  
President pro tempore Arthur H. Breed in the chair.  
Secretary Joseph A. Beek at the desk.

## RECESS.

At one o'clock and fifty minutes p.m., the President of the Senate, on motion of Senator Slater, declared the Senate at recess, for the purpose of meeting with the Assembly at two o'clock p.m., in Joint Convention.

## IN JOINT CONVENTION.

## ASSEMBLY CHAMBER.

SACRAMENTO, Tuesday, January 4, 1927.

Pursuant to adjournment this day, the Senate and Assembly of the State of California met in Joint Convention on this day, Tuesday, January 4, 1927, at two o'clock p.m., for the purposes set forth in the following resolution, adopted this day in Joint Convention:

## RESOLUTION.

*Resolved*, That the hour of two o'clock p.m. on Tuesday, January 4, 1927, be appointed the time when, and the Assembly Chamber in the State Capitol, Sacramento, California, the place where, the Governor and Lieutenant Governor-elect shall

take the official oath in the presence of both houses of the Legislature, in Joint Convention assembled, as required in and by Section 905 of the Political Code.

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action, and that when this Joint Convention adjourns it adjourn to meet at the hour and place aforesaid.

Senator A. H. Breed, President pro tempore of the Senate, and Hon. Edgar C. Levey, Speaker of the Assembly, presiding.

The President pro tempore of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—40.

The President pro tempore declared a quorum of the Senate present.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Adams, Anderson, D. P., Anderson, Roscoe J., Badham, Ball, Baum, Bernard, Bishop, Brock, Burns, Byrne, Carter, Cloudman, Cloudsley, Coombs, Crawford, Crittenden, Croter, Davis, Deuel, Dillinger, Duval, Easley, Eddy, Feigenbaum, Finley, Fisher, Flynn, Foster, Fry, Gant, Hawes, Hedges, Heisinger, Hornblower, Jacobson, Jepsersen, Jewett, Jones, Jost, Keaton, Kelsey, Lenehan, Leymel, Little, Lyons, McDonough, McPherson, Melville, Miller, Eleanor; Miller, James A., Mixter, Morrison, Murphy, Nielsen, Noyes, Olivia, Parkman, Patterson, Reindollar, Roberts, Rochester, Roland, Seftield, Sessler, Sewell, Smith, Snyder, Spalding, Walters, Wemple, West, Williams, Williamson, Witter, Woodbridge, Woolwine, Wright, and Mr. Speaker—79.

The Speaker declared a quorum of the Assembly present.

#### PRAYER.

Prayer was offered by Rev. A. Watson Brown, Chaplain of the Assembly.

#### REPORT OF JOINT COMMITTEE.

Assemblyman Leland R. Jacobson, Chairman of the Joint Committee of the Senate and Assembly on Inaugural Ceremonies, appeared at the bar of the House and announced to the Speaker of the Assembly the presence of His Excellency Friend Wm. Richardson, Governor, Hon. C. C. Young, Governor-elect, and Hon. Buron R. Fitts, Lieutenant Governor-elect.

At the invitation of Hon. A. H. Breed, President pro tempore of the Senate, the Governor, the Governor-elect and Lieutenant Governor-elect were escorted to the platform by the following committee: Senators Chamberlin, Boggs, Hollister and Weller, and Assemblymen Walters, Wright, McDonough, Jacobson, and Mrs. Cora Woodbridge.

Hon. Cora M. Woodbridge of Roseville escorted Hon. W. H. Wast, Chief Justice of the Supreme Court, to the platform.

#### INAUGURAL CEREMONIES.

Call to order of the Joint Convention of the Legislature of the State of California.

Hon. Arthur H. Breed, President pro tempore of the Senate.

Hon. Edgar C. Levey, Speaker of the Assembly, presiding.  
National airs were rendered by Noack's orchestra.  
"America."

INTRODUCTION OF GOVERNOR FRIEND WM. RICHARDSON.

Hon. Arthur H. Breed, President pro tempore of the Senate, addressed the Joint Convention as follows:

Summer and winter succeed each other in endless succession, one generation of men succeeds another.

So in the affairs of State one administration follows another.

I have the honor at this time to introduce to you the retiring Chief Executive of California.

Governor Richardson has served the people of this State to the best of his ability for the past four years.

Governor Richardson, on behalf of the Legislature of California, I extend respectful salutations and bid you Godspeed.

ADDRESS BY GOVERNOR FRIEND WM. RICHARDSON.

Governor Friend Wm. Richardson proceeded to address the Joint Convention.

ADMINISTRATION OF OATH OF OFFICE.

Hon. C. C. Young took and subscribed to the following oath administered by Hon. W. H. Waste, Chief Justice of the Supreme Court:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and I will faithfully discharge the duties of the office of Governor of the State of California to the best of my ability, so help me God.

Presentation of Colors to Governor C. C. Young by officers of California National Guard.

"Hail to the Chief," Noack's orchestra.

Firing of the Governor's salute of nineteen guns.

INTRODUCTION OF GOVERNOR-ELECT C. C. YOUNG.

Hon. Arthur H. Breed, President pro tempore of the Senate, addressed the Joint Convention as follows:

It is my great honor to introduce to you the incoming Chief Executive of the State of California. The great powers and responsibilities of Governor rest, I am sure, upon a man worthy of his task. Our State is indeed fortunate to have at the head of its government a man of such training and experience and of such integrity of character and sincere purpose to serve the public welfare as the Honorable C. C. Young.

The people of California have a deep and abiding faith in our new Governor. Seldom have we inaugurated a new Chief Executive under such happy auspices of good will and helpful cooperation. This is a truly inspiring occasion because of the manifestations on every hand of a new zeal to advance the public good.

Under the leadership of Governor Young we are assured that the government of our State will be conducted with resolute endeavor to secure the greatest efficiency. The ideals that will dominate will be those of the highest standards of honesty and sincerity. We shall have forthrightness, intelligence and experienced ability dealing with all problems that arise.

I congratulate the citizenship of California on the induction into office of a new administration that gives such promise of being one of the most competent and constructive administrations in the history of this State.

I introduce to you Governor C. C. Young, who inspires us all to renewed effort to serve the welfare of our beloved California.

ADDRESS BY GOVERNOR C. C. YOUNG.

Governor C. C. Young proceeded to address the Joint Convention as follows:

Four years have passed, and again, in accordance with statute, and with time-honored custom, the two houses of the Legislature are met to induct into office a new



administration for the State of California. In accordance with that custom, also, it devolves upon me, as one invested with large responsibility for this administration, to speak somewhat of its plans and purposes, somewhat of its ideas and ideals of government, which will actuate us during the next four years.

In the first place, I should be remiss if I did not express to the people of California, through you, their representatives, my appreciation for the generous confidence shown me at last November's election. I accept the result of that election, not at all as a personal tribute, but rather as the endorsement of a philosophy of government which I trust has been consistently mine throughout my eighteen years of endeavor to serve the State. Those of us who hold to that philosophy represent very definite governmental principles, which have prevailed in California for the major portion of that time; principles which sixteen years ago aroused, and which today inspire, the great majority of our people; principles which this administration will try to translate into action.

#### OUR IDEALS OF GOVERNMENT.

I feel that you legislators before me are, like myself, responsive to those ideals and principles which have done so much to place California, both governmentally and materially, at the very forefront among progressive states. The responsibility is ours to maintain this government on the high plane of success and achievement of those splendid years which followed California's political revolution of 1911. "Revolution" is exactly the word, for it meant an overturning of conditions where entrenched special interests governed the State to a condition where the State governed those same special interests. There must be no receding from those principles of free government which were then rooted in our political growth. With your permission I shall outline some of these governmental principles, which, I trust, will guide both you and me in our endeavors.

In the first place, I imagine we are not afraid to be progressive. By this I mean we are not afraid to try new things which appeal to us as sane and reasonable. No one of us, I hope, is a revolutionist or radical, who desires change merely for the sake of change. But I believe we all recognize that government, like everything else in a growing world, must progress, and that we are willing to promote such progress as may best serve the public interest.

Secondly, I believe it will be conceded that we have not entered public service merely for the sake of advancing our own selfish interests. I like to think that you and I are interested in government from the standpoint of the greatest good to the greatest number; that we recognize the purpose of government to be the increasing contentment and protection and prosperity of all our people. For this reason we accept humanitarian ideals in government, wherein the human being assumes an importance at least equal to that of the dollar mark.

Finally, and very fundamentally, I know that we shall all insist on a "square deal," fair and impartial government, devoid of special privilege or favor. Ours is, and should be, a government of equal opportunity under the law to every citizen and every legitimate interest. We insist, however, that special interests seeking undue privileges keep their hands off our legislative or other governmental machinery. Particularly must we be sure that all our governmental regulatory agencies shall be above suspicion in their wholehearted fealty to the interests of the whole people.

I want to point out that there is nothing in this conception of progressive government to give the least concern to any legitimate business, or industry, or corporate enterprise. We want these to grow and prosper, for we recognize that their prosperity is linked with the prosperity of all our State. I desire this to be a business administration in the truest sense of that term; which means not only that it shall be conducted along business principles, but also that it shall be an administration for the fair treatment and support and encouragement of every legitimate business.

#### STATE EXPENDITURES AND THE BUDGET.

In conformity with the requirements of the State constitution, I have already done much work upon the budget which is soon to be submitted to the Legislature. I have carefully reviewed the budget figures and requests as made to, and partially passed upon by, the present Board of Control. After conferences with the heads of the departments and institutions concerned, I have succeeded in reducing these figures by somewhat more than \$10,000,000. Despite these reductions, the curve of the State's expenditures is still going upward; a condition which will continue as long as the State continues to grow.

The budget which will be presented this year will contain for the first time all the expenditures of the State—expenditures of every kind, irrespective of the agency through which they are made or the sources from which their revenues are secured. I feel that this frank and complete statement of all expenditures not only keeps faith with our people by removing all possible grounds of future budget controversy, but also is the only way to live up to the spirit of the constitutional budget amendment.

## THE SURPLUS AND OUR TAX SYSTEM.

Ever since the adoption of our present tax system, State expenditures have tended to outrun our revenues. We have thus far been able to keep the revenues up to the requirements of a growing State through periodically raising the tax rate to be paid by public utility corporations. Each such raise has produced a temporary surplus, which has later been absorbed by the increase of expenditures beyond current revenues. Thanks largely to the receipt of impounded money from the King tax bill suit, we shall enter the next biennium with a considerable surplus in the treasury. But the State Controller, in a recent public statement, has pointed out that we have already reached the period when unescapable fixed charges and normal increases in expenditure will of necessity cut that surplus almost in half; in other words, a period when our expenditures are unavoidably greater than our current revenues.

At previous similar periods we have met the situation by an increase in the rate of public utility taxes. This same procedure could be followed again. I doubt, however, if sufficient facts have been accumulated during the past four years to furnish the Legislature an adequate basis for determining accurately the extent to which such an increase would be equitable, either to the various classes of public utilities or to the citizen taxpayer. Moreover, I believe that with your cooperation we can conserve our present surplus to meet the excess of expenditures over revenues for the next two bienniums, and at the same time find the opportunity to do a thing which I believe should have been done long ago—namely, to make a careful and expert study of our State tax system.

I would sum up what I have said by the following three recommendations:

First—That the present Legislature provide for a commission to investigate whether our existing tax system, with periodic justifiable increases in public utility tax rates, will continue to provide necessary revenues for the State's normally increasing expenditures; and, if not, what modifications should be made in our present system to put it upon a safe, permanent, and equitable basis.

Second—That, pending this investigation, at least during the present legislative session, no change of any kind be made in our existing provisions for raising general revenues.

Third—That, during the period which must elapse before any change in our tax system can take effect, our surplus shall be conserved as a reservoir to provide for unforeseen contingencies of any kind, and to meet the necessities of the inevitable excess of future irreducible expenditures over corresponding future revenues. Ordinarily, with a settled and adequate tax system, a large surplus is probably unnecessary and unwise. Under present circumstances, however, it must be protected at all hazards by an insistence that the strictest economy in every direction shall prevail. My work upon the budget has convinced me that the positively fixed and unavoidable increases in governmental expense will leave no room for a dollar of expenditure which can not justify itself as absolutely necessary.

## REORGANIZATION OF GOVERNMENTAL AGENCIES.

The government of California, like that of most other states, has gradually taken on a large number of functions, social, regulatory, and developmental—functions which some governmental agency must perform, and which for many reasons naturally devolve upon the State. This has given rise to numerous boards and commissions, now operating independently of each other, but of such nature that they readily fall into groups, each group containing agencies with interrelated and sometimes overlapping functions. California, eight years ago, made a preliminary study of this problem to determine whether it would not be in the interest of economy, and more especially in the interest of efficiency, to organize these groups into departments of the State government.

At that time, only a beginning of this work was accomplished. I accordingly invite the attention of the Legislature to this problem, and suggest that the work of departmentalizing the State's activities be at this time continued. Probably this work can not at present be fully completed, for the reason that certain of the State's offices and commissions are written into the State constitution, and can be reorganized only by constitutional amendment. One innovation, however, can be accomplished now, and I believe might be very wise—namely, an arrangement by which the heads, or directors, of such departments as may now be formed shall be constituted into a Governor's cabinet or council, to the end that at regular meetings there may be discussed in orderly fashion the various problems which confront the State. Some system like this would, I believe, be far more businesslike and effective than such haphazard and infrequent consultations as must otherwise normally take place between a Governor and our numerous unrelated boards and commissions.

## COMPLETION OF OUR HIGHWAY SYSTEM.

I pass now to certain problems of the State's material welfare, which must be solved, and speedily solved, if the growth and development of California is to continue unretarded. I believe that the problem of most general interest at the present time is the completion of our State highway system.

I shall waste no words in emphasizing the importance of this problem, or the economic value of providing, at the earliest possible moment, a complete system of

State highways. I believe that the speedy completion of our highway system is an end desired by every citizen. The only question is the best method of securing the necessary revenues.

In the first place, it is clearly impossible to secure our necessary highway revenues from the State's general fund. To do this would inevitably lead to the necessity of imposing a State *ad valorem* tax upon our citizens, already suffering under too great a burden of local taxes. Secondly, I do not believe that at present we should attempt to divert to the construction of new roads the money now being used to save our existing roads through the reconstruction process of widening and thickening. Finally, I am convinced that we should not depend upon the issuance of bonds for this purpose, partly because of the extra expense involved, and partly because we can not afford to delay our highway work by waiting two years for a bond election.

Accordingly, if we are to satisfy the almost universal demand that we at once resume work upon our State highway system, we are thrown back upon the necessity of adopting some plan which will produce the necessary revenues. It is true that such a plan was defeated at the recent election, but when we consider the narrow margin of the defeat, and analyze the reasons for it, I am sure that it is not to be taken as a verdict of the people against the general proposition, nor as precluding the Legislature from now undertaking to find some solution of it which will be assured of general approval and acceptance.

I believe, that with proper regard for the interests involved, the Legislature should determine upon a policy through which this vitally important problem may be solved. Toward this policy I offer the following suggestions: First, let the northern and southern sections of the State determine upon a list of roads, such, for instance, as all interstate roads and other roads included in the first bond issue, to be set aside as a charge against the State as a whole. Second, let the revenues for remaining roads, both for construction and reconstruction, be allocated fairly and equally between the two sections of the State. Finally, fix upon a gasoline tax, or some equivalent method for the financing of new roads; and thus, by giving this proposition a fair trial, permit the coming administration to show what can be done in highway construction, to the satisfaction and for the benefit of the entire State. It is unnecessary to point out that the problem must not be complicated by any attempt to add to the present State highway mileage at this time.

#### WATER RESOURCES AND FOREST CONSERVATION.

I pass now to what I regard as the problem most important to the future growth and development of California—the problem of water storage and distribution. Owing to its extremely rapid increase in population, the southern portion of the State has been compelled to face this problem earlier than has been necessary for the north. The prospects are very bright that the Congress at its present session will furnish the needed relief for the south by passing the bill for the dam at Boulder Canyon. California will certainly do all she can toward this end by making clear her attitude through representatives of this administration in Washington, as well as by legislative action which will fully safeguard the interests of the states comprising the basin of the upper Colorado River. I feel assured that this Legislature will also meet the acute need of the south for an adequate domestic water supply by authorizing the formation of a metropolitan water district such as may permanently solve her difficulties along this line.

In the other portions of the State, however, the solution of the problem in its major aspects is still before us. Our population is growing and is undoubtedly destined to become very large if we can supply the need of an adequate food supply. Our local irrigation projects, excellent as they are, can obviously not meet this need. Our agriculturists who depend upon underground water are becoming more and more disturbed as they see the water table sinking lower and lower. The solution of this problem can no longer be left to haphazard and unrelated development. There is no doubt that it is high time to seek some comprehensive plan which will meet the needs of both our great central valleys. The water which falls so bountifully during our winters, and which now wastes itself in bay and ocean, if properly stored and controlled and placed upon the land, would be sufficient to water every irrigable foot of this vast area, beside practically eliminating all future danger from winter floods.

This enterprise, however, is so vast that it can be financed by no one agency alone. The farmer whose lands are benefited can not meet the expense, as he largely does in the case of minor irrigation projects. The county whose cities are dependent upon local agricultural prosperity must also do its share. The State must take the leadership in coordinating and planning the whole. The federal government possibly must be asked to advance the money for the initial construction, just as is proposed in the Boulder Canyon project. It is highly desirable that an advisory commission be provided, consisting of State officials and engineers, and the representatives in California of the federal departments interested, to consider the coordination of present activities and of proposed plans for the future. Past Legislatures have provided money for a comprehensive study of this problem, and the report should soon be in your hands. I trust that it may point the way to a beginning of this great undertaking.



I shall here mention forest conservation only from the standpoint of its importance to our water resources, for there is no doubt that by the burning of the forests and brush lands of our watersheds an even greater loss is sustained through the diminution of our water supply than through the actual damage to our timber products. I feel that every possible effort should be made to minimize the annual destruction of this coverage for our watersheds, as well as to encourage the reforestation of our cut-over timber lands. I shall recommend in my forthcoming budget a forestry increase of at least 50 per cent, to aid in the building of fire trails and in other protection against fire, for I believe that the expenditure of money for this purpose constitutes the truest kind of economy.

This water problem is naturally of special importance to our agricultural interests. Agriculture is California's basic industry. We have long ago learned that whatever contributes to the prosperity of the agriculturist proportionally contributes to the prosperity of the State as a whole. Accordingly, the problems of agriculture can not be dismissed as of importance only to the farmer. They are problems which the entire State has a vital interest in solving, and are matters which at all times should engage the attention of the Legislature.

#### THE CRIME PROBLEM AND OUR PRISONS.

The spread of organized crime throughout the United States has become a very real problem. This has become the day of the professional criminal, who has in cold blood organized the business of preying upon society. The effective way to reduce the numbers of these professional criminals is to make it clear to them that their chances of escaping the penalty of the law are too remote; that the risks are so great the crime business doesn't pay. If the criminal or potential criminal is to be deterred from his crime, he must be convinced that his punishment will be certain and that it will be prompt. A wise coordination of the agencies of crime detection and prevention, coupled with carefully considered reforms in our obsolete criminal procedure, should effect a prompt reduction in the amount of crime in California.

I believe that in our penal institutions every effort should be made to study the individual prisoner, and to restore him, whenever possible, to useful citizenship. I do not believe, however, that the criminal should be sentimentally pampered as the innocent victim of untoward circumstances. I believe that the prison should provide plenty of work, wholesome food, medical attention, and an opportunity for self-development through education, but there should be no reason for criminals to regard it as a desirable place of residence.

Furthermore, I believe in a careful segregation of prisoners, so that the first offender may escape contamination by the hardened criminal. I believe in a wise and conservative use of the parole system, to be applied to such prisoners as the Parole Board feels morally certain of redeeming thereby. However, I also believe that parole is rarely justified in the case of a repeater, or habitual criminal. I emphatically believe in the prison road camp, and hope to see its work extended as rapidly as possible, in order that discharged prisoners may leave with strong bodies, and such small sums of money as they have honestly earned, thus giving them a fairer chance to break away from crime and criminal associations.

Finally, I believe that we should lose no time in relieving the intolerably crowded conditions in our own State prisons, where two, and sometimes three, prisoners are confined in the same cell. I also believe that San Quentin is no place for our women prisoners, and I would favor the appointment of a commission, consisting partly of women, to plan for the establishment of a separate penal institution for women offenders.

#### THE DIRECT PRIMARY LAW.

Eighteen years ago California passed her first direct primary law. From session to session since that time the law has been improved, until it is now conceded to be possibly the best in the Union. Despite the concerted attack now being made upon the primary in certain other states, I confidently predict that the direct primary in California has come to stay. Our people have learned that only by this means are they able to secure candidates of their own choice. Any modification of the law must not be an attempt to weaken it, or break it down, but rather an effort to improve and strengthen it, possibly by some plan such as the proposed "sponsor system."

What has been said about the direct primary may also be said about direct legislation. Our recent election has again demonstrated the ability of our voters to do their own discriminating thinking on initiative measures. An initiative or referendum usually presents an issue rather clear cut and easy to understand, and is greeted by the electors by a much more decisive and intelligent vote than is ordinarily accorded to a constitutional amendment submitted by the Legislature. In short, direct legislation in California seems to play no small part in sustaining the interest of the people in the problems of their government.

#### HUMANITARIAN AND EDUCATIONAL PROGRESS.

Those of us who have had experience in legislative work recognize the fact that nearly all proposed legislation falls very naturally into two classes, more or less mutually interdependent, and yet essentially distinct. The first has to do with material things, with business and its regulation, with the conservation of natural

resources, with the production and distribution of wealth. The second concerns itself primarily with the human being, with the education and proper development of the normal human being, and with the care, custody, protection, maintenance, or restraint of the human being under abnormal conditions. This humanitarian branch of legislation is what has particularly distinguished California during the past sixteen years. Throughout most of that period we have been carrying out a program of humane and social legislation in which we have a right to feel genuine pride. We need only point to the eight-hour law for women; to the regulation of child labor; to the assurance of fair and honest treatment for the man who toils; to improved conditions in our institutions for the sick and afflicted; to our provisions for orphans' aid—the most generous of any State in the Union; to the workmen's compensation act, whereby the burden of industrial accident is removed from the shoulders of him who is least able to bear it, and made the responsibility of society as a whole; to many other similar measures, designed to make brighter the lot of the underprivileged human being. These measures have gradually won their way into public confidence until they are now regarded with approval by all our citizens.

Not only in its humanitarian and social endeavors, but also in its educational progress, California has maintained a place of leadership. Our schools are ranked by those competent to judge as the best in the Union. Our teachers, particularly those in rural communities, are better paid than teachers in other states. Our teacher-training institutions are rated extremely high and are growing better every year. Our university is excelled by none, and a statewide system of junior colleges is springing up by which the first two years of university work are made accessible to almost every community. More than a third of our entire State expenditures is devoted to education.

There are, however, certain parts of our educational machinery that need adjustment. There have arisen conflicts, growing out of a certain duplication of authority between the State Board of Education, on the one hand, and the State Superintendent of Public Instruction, on the other. It would seem wise to so modify our laws affecting the administration of our school system that the functions of the Board of Education shall be more clearly defined, and that the State Superintendent shall have entire responsibility for the educational conduct of the schools, and for the appointment of his professional assistants.

#### WORK OF THE LEGISLATURE.

I am looking forward with especially pleasant anticipations to my association as Governor with you who make up the two houses of the Legislature. For ten years I served as Assemblyman in this chamber, six of them as presiding officer behind this desk. For eight years I have been privileged to preside over the Senate in the opposite wing of the Capitol. As a result of this experience, I believe I am rather uniquely able to understand and appreciate your problems. I want you to know of my sincere desire to aid you and cooperate with you in every possible way.

As one who from long experience is familiar with legislative procedure, may I be privileged to make a few definite suggestions? I trust that this session may be distinguished by a very small quantity of legislation, partly because we must admit that much proposed legislation is always really unnecessary, and partly because the smaller the number of bills, the greater the time for considering each, and the better the final result. Especially do I suggest to you a greater sense of legislative responsibility than has characterized some of your predecessors in past years. You and I are all too familiar with the process of passing hasty and ill-considered legislation down to the Governor's office, with the comfortable feeling that it will be rejected if considered unwise. Thus the Governor by his vetoes, instead of merely being used to correct inadvertent errors, or to negative major policies with which he can not agree, is forced to become a very important part of the Legislature—a function which was never contemplated by the constitution.

I also trust that something may be done this year to make impossible the introduction of so-called "skeleton bills." The constitutional provision creating a legislative recess contemplated that each bill, at least as far as the intent and best judgment of the author is concerned, should be in its final form from the moment it is first submitted. Otherwise a public study of bills during the month of recess would mean nothing. Moreover, the constitution also provides that after this legislative recess only two bills may be introduced by any member. If, however, there are skeleton bills, or bills otherwise essentially modified by author's amendments, and which assume their really intended form after this recess, this provision of the constitution is virtually nullified. It is accordingly obvious that the legislation which will be most sure of approval, both by the public and by the Governor's office, will be that which is carefully drafted before its introduction, and is passed through the Legislature before that grand final rush which renders careful consideration so impossible.

Before I close I wish to pay my tribute to the splendid spirit and conscientious endeavors of our California Legislatures. I have never been happier than in my work with them, as presiding officer of one or the other of the two houses. To you, who were my friends and coworkers in former Legislatures, and to my new friends who are here for the first time, I wish to extend my greeting, and to express the

hope that every one of you will realize how welcome you are on all occasions to lay your problems before me. I was a member of the Legislature a long, long time before I ever thought of becoming part of what we legislators always referred to as "the corner office downstairs."

You and I have a splendid task before us. We have gone a long way forward in California—gone forward inspired by the hearty approval of a people whose heart is fundamentally sound, whose ideals are fundamentally high. In fairness to that people, there must be no backward step. We must hold all the ground we have gained in the past. We must press on to new achievements for the future. We must keep pace with the growth of a growing world.

Just one thing more: I am happy to believe that we are entering upon an era of good feeling in California, with the vast majority of our citizens wishing well for the success of this new administration which we are inaugurating here today. Since being elected to the office I am about to assume I have received most courteous treatment from the outgoing administration and its friends, and I trust that I have reciprocated in kind. Life is too short to make it worth while to prolong the echoes of pre-election battles. I enter upon my new duties with a very full sense of the responsibilities which will be mine, and I propose to do my utmost to meet those responsibilities in a manner which shall be worthy of this high office. And in all my efforts toward this end, the generous good-will of you, my friends, will be my constant encouragement and support.

#### ADMINISTRATION OF OATH OF OFFICE.

Hon. Buron R. Fitts took and subscribed to the following oath administered by Hon. W. H. Waste, Chief Justice of the Supreme Court:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and discharge the duties of the office of Lieutenant Governor of the State of California to the best of my ability, so help me God.

#### INTRODUCTION OF LIEUTENANT GOVERNOR BURON R. FITTS.

Hon. Edgar C. Levey, Speaker of the Assembly, addressed the Joint Convention as follows:

It is a profound privilege to rise, on this auspicious occasion, for the purpose of making the introductory remarks to the address which will be delivered to you by the incoming Lieutenant Governor.

A few years ago, this nation was happily engaged in peaceful pursuits. Suddenly the call to arms was heard and the brain and brawn of the land responded. Among the youth who answered was a young man, strong, stalwart, firm in body and in his very prime. With his fellows, he crossed the ocean and, as lieutenant in the Ninety-First Division of the American Army, he led his troops in combat on the battlefields of France.

When the conflict ended, he returned to the land of his birth, scarred in body but still unmarried in spirit. His loyalty to his Flag continued to call him to public service and led him to an honorable career as assistant district attorney of Los Angeles County. Not satisfied to perform these duties alone, he gave himself to the cause of his fellows who, like him, had worn the uniform for the preservation of democracy. He became commander of the Department of California of the American Legion and, in this capacity, labored hard and well for his buddies and his colleagues.

Finally true recognition was granted him and, by what is said to have been the largest vote ever given a candidate for public office in California, he was chosen, by a poll of over 800,000 of his constituents, to become the second highest executive officer in this commonwealth. He needs no introduction—I simply present to you the Lieutenant Governor of California, the Honorable Buron R. Fitts.

The Lieutenant Governor, Buron R. Fitts, then addressed the Joint Convention.

"Star Spangled Banner."

Benediction by Rev. Bryant Wilson, Chaplain of the Senate.

#### READING AND APPROVAL OF MINUTES.

Minutes of the Joint Convention were read and approved.

#### ADJOURNMENT.

There being no further business, at four o'clock p.m., the President of the Senate adjourned the Joint Convention sine die.



## IN SENATE.

At four o'clock and ten minutes p.m., the Senate reconvened.  
 President pro tempore Arthur H. Breed in the chair.  
 Secretary Joseph A. Beek at the desk.

## RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

A. Cramer, Assistant at the Desk	85 00	per day
Carrie Garrison, File Clerk	7 00	per day
Marybelle Wallace, Journal Clerk	7 00	per day
Wellington Bowser, Assistant Journal Clerk	5 00	per day
Beatrice B. Rheinstrom, Enrolling Clerk	7 00	per day
Lillian Boyd, Assistant Enrolling Clerk	5 00	per day
Mrs. Cora B. Byrne, Chief Stenographer	6 00	per day
Estelle Bazo, Stenographer	5 00	per day
George Cartwright, Stenographer	5 00	per day
Gladys Cox, Stenographer	5 00	per day
Dorothy Durant, Stenographer	5 00	per day
Dorothy Frame, Stenographer	5 00	per day
Arabel M. Hoxie, Stenographer	5 00	per day
Dorothy Reese, Stenographer	5 00	per day
Beatrice Beckley, Stenographer	5 00	per day
Vera E. Roberts, Stenographer	5 00	per day
A. R. Sweeney, Stenographer	5 00	per day
W. J. Ferguson, Assistant Sergeant-at-Arms	5 00	per day
John Crotty, Assistant Sergeant-at-Arms	5 00	per day
John L. Talt, Assistant Sergeant-at-Arms	5 00	per day
John T. Young, Assistant Sergeant-at-Arms	5 00	per day
Max Richman, Assistant Sergeant-at-Arms	5 00	per day
Peter Hollings, Assistant Sergeant-at-Arms	5 00	per day
T. Lafayette, Assistant Sergeant-at-Arms	5 00	per day
J. A. Roberts, Assistant Sergeant-at-Arms	5 00	per day
Mrs. H. J. Carter, Postmistress	4 00	per day
Mrs. Hattie M. Newson, Assistant Postmistress	4 00	per day
Boyd Garrison, Page	2 50	per day
Elmo Sullivan, Page	2 50	per day
Marguerite Bridges, Stenographer	5 00	per day
Neva M. Gregg, Stenographer	5 00	per day

Resolution read.

Senator Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, West, and Young—29.

**NOES**—None.

## ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Senator Slater, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, January 5, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 4, 1927, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Chamberlin was, on motion of Senator West, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to F. C. Painter of Monrovia, California.

On request of Senator Christian, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Lily Samuel of Oakland, California, present State President of the Ladies' Auxiliary of the American Legion of the State of California.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Thomas C. Yager.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following concurrent resolution was introduced:

By Senators Crowley, Murphy, Gray, Canepa, Tubbs, Maloney and Fellom: Senate Concurrent Resolution No. 2—Relative to approving five certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election, held therein on the second day of November, 1926.

Referred to Committee on Municipal Corporations.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Senate Bill No. 1—An act to amend section 626 of the Penal Code, relating to the protection of game and making the same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. Wm. Booth, Assistant Clerk.

Senate Bill No. 1 ordered to enrollment.

## RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Gertrude Emmerick, Stenographer-----	\$5 00 per day
Ruth E. Hopps, Stenographer-----	5 00 per day
Lillian Scott, Stenographer-----	5 00 per day
Agnes Shearer, Stenographer-----	5 00 per day
Frank McCarthy, Assistant Sergeant-at-Arms-----	5 00 per day
M. Nankervis, Assistant Sergeant-at-Arms-----	5 00 per day
Donald Bruce, Assistant Sergeant-at-Arms-----	5 00 per day
W. J. Wheaton, Assistant Sergeant-at-Arms-----	5 00 per day
Mrs. C. Dodge, Press Mailing Clerk-----	4 00 per day
Ida Kenyon, Press Mailing Clerk-----	4 00 per day
Ruth Fuller, Assistant Enrolling and Engrossing Clerk----	5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.  
NOES—None.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THREE—  
(OUT OF ORDER).

Senator West asked unanimous consent for the consideration of Senate Concurrent Resolution No. 3, without reference to committee.

Unanimous consent granted.

## SENATE CONCURRENT RESOLUTION No. 3.

Providing for the appointment of a joint committee to investigate the advisability of installing electric voting machines in the two houses of the Legislature.

WHEREAS, A great deal of time of the Legislature is consumed in taking the vote of the members by the present method of viva voce; and

WHEREAS, The installation of electric voting machines in the houses of the legislatures of certain other states has proven both economical and efficient;

*Resolved by the Senate and the Assembly, jointly*, That a committee of one member of the Senate be appointed to confer with a committee of two from the Assembly to investigate the feasibility and advisability and cost of installing electric voting machines in the two houses of the Legislature; said committees to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act and report in the premises.

Resolution read.

The question being on the adoption of the resolution.



The roll was called, and Senate Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellow, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—36.  
 NOES—None.

Senate Concurrent Resolution No. 3 ordered transmitted to the Assembly.

#### APPOINTMENT BY THE PRESIDENT OF THE SENATE.

The following communication was received and read:

I beg leave to inform you that I have appointed

Boyd Garrison, Page----- \$2 50 per day

Elmer Sullivan, Page----- 2 50 per day

and respectfully request the consent of the Senate thereto.

BURON FITTS, President of the Senate.

Senator Crowley moved the appointments be confirmed by the Senate.

The question being upon the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellow, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.  
 NOES—None.

#### STATEMENT.

The following statement was offered by Senator Taylor, and on motion of Senator Taylor ordered printed in the Journal:

The new method of printing amended bills for the California Legislature follows almost identically the plan in vogue at the Government Printing Office for the printing of congressional bills.

Deletions from original bills will be shown by the use of canceled or "strike-out" type, while new matter or additions to original bills will be printed in italics. This plan makes evident even to the casual reader just how much of the original bill has been deleted and how much new matter has been inserted.

Under the old plan, in vogue in California for the past fifty years, it was difficult to follow amendments. Heavy brackets were used to show the additions of new matter and heavy parentheses the eliminations. Especially in the cases of long deletions or amendments the reader had difficulty in remembering which sign had been used, and at any rate the plan was confusing to the reader.

At the suggestion of the members of the printing committees of both Senate and Assembly in the session of 1925, a thorough investigation was made of the various plans used in the different states of the Union, and it was unanimously agreed by the experts of the State Printing Office and by the members of the committees of the Legislature that the congressional plan was vastly superior. In accordance with this decision, the printing committees informally authorized the State Printer to arrange for the change at the beginning of the session of 1927. The proposed plan also was approved by a great many of the other members of the Legislature.

All of the equipment needed for this change in the printing of legislative bills is now installed, and upon the adoption of the proper resolution by the two houses of the Legislature the new method will be started at once.

The direct cost for the equipment needed for the change in the printing of legislative bills is approximately \$2,000 for the canceled matrices. In addition, four new linotype machines of the mixer-distributor type have been purchased, which will be used on this work, but these machines would have been needed in any event with the growing business of the printing office for use in the composition for legislative journals, histories, indexes, etc. The Mergenthaler Linotype Company, in view of the purchase of the new machines, made no charge for the cutting of the special matrices required, a saving of approximately \$1,900.

## REPORT OF COMMITTEE.

The following report was offered by the Senate Committee on Printing of the forty-sixth session of the Legislature, and on motion of Senator Taylor ordered printed in the Journal:

All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill and in the case of matter being omitted, the matter to be omitted shall be printed in type bearing a horizontal line through the center and commonly known as "strike-out" type. When a bill is amended in either house, the first or previous markings shall be omitted. When a bill amendatory of a code section is engrossed, all figures or symbols shall be removed.

TAYLOR.  
EVANS.  
WEST.

On motion of Senator Taylor, the above report was referred to the Committee on Rules.

## ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, January 6, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 5, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for the day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. J. Whitley.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. W. F. Martin of Glendale, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Nathan Coombs, Past Commander of the American Legion of California, and Mr. Chas. Johnson, National Committeeman of the American Legion from Oregon.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. P. W. Bussman of Santa Rosa, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Charles Hall and Francis Hall of Gerber, Tehama County, California.

#### RESOLUTION.

The following resolution was offered:

By Senator Jones:

*Resolved*, That two thousand (2000) copies of the inaugural address of Governor C. C. Young be ordered printed in pamphlet form, and placed at the disposal of the Senate; and

*Resolved, further*, That said inaugural address be inserted in the corrected Journal.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

#### RESOLUTION.

The following resolution was offered:

By Senator Lyon:

*Resolved*, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is hereby directed to pay the same:

Pearl Power, Stenographer.....\$5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

#### RESOLUTION.

The following resolution was offered:

By Senator Breed:

*Resolved*, That the persons hereinafter named be allowed the several sums set opposite their respective names, for services as stated, rendered to the Senate pre-



liminary to the organization of the forty-seventh session, payable out of the Contingent Fund of the Senate, and the Controller be and he is hereby directed to draw his warrant on the Contingent Fund in favor of each of the several persons herein-after named for the sums set opposite their respective names, and the Treasurer directed to pay the same:

Catherine Beale, Stenographer, 7 days at \$5.00-----	\$35 00
Beatrice Beckley, Stenographer, 7 days at \$5.00-----	35 00
Harold Powers, Minute Clerk, 1 day at \$9.00-----	9 00
J. A. Beek, Secretary, 4 days at \$10.00-----	40 00
Joseph F. Nolan, Sergeant-at-Arms, 1 day at \$8.00-----	8 00
Walter Lindersmith, Assistant at Desk, 3 days at \$5.00-----	15 00
Arthur Craner, Assistant at Desk, 3 days at \$5.00-----	15 00
John T. Young, Assistant Sergeant-at-Arms, 1 day at \$5.00-----	5 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

#### PROPOSED STANDING RULES OF THE SENATE.

Senator Breed submitted the following as proposed Standing Rules of the Senate, and asked that they be printed in the Journal:

#### STANDING RULES OF THE SENATE.

##### *Convening and Order of Business—Hour of Meeting.*

1. The sessions of the Senate shall be daily (Sundays excepted) beginning at eleven o'clock a.m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of one o'clock p.m. until the hour of two o'clock p.m., unless otherwise ordered by a vote of the Senate.

##### *Calling to Order.*

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

##### *Order of Business.*

3. The order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading and Reference of Bills
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

##### *Presiding Officers of the Senate—The President.*

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

##### *The President Pro Tempore.*

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

*Presiding by Senators.*

6. The President or President pro tempore, in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

*Committees of the Senate—Appointment of Committees.*

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

*List of Standing Committees.*

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, fifteen members.
2. Banking, nine members.
3. Building and Loan Associations, five members.
4. Civil Service, five members.
5. Commerce and Navigation, nine members.
6. Conservation, seven members.
7. Constitutional Amendments, nine members.
8. Contingent Expenses, three members.
9. Corporations, nine members.
10. County Government, eleven members.
11. Drainage, Swamp and Overflowed Lands, nine members.
12. Education, fifteen members.
13. Elections, eleven members.
14. Engrossment, Enrollment and Printing, five members.
15. Federal Relations, five members.
16. Finance, eighteen members.
17. Fish and Game, fifteen members.
18. Governmental Efficiency, nine members.
19. Hospitals and Asylums, nine members.
20. Insurance, eleven members.
21. Irrigation, seven members.
22. Judiciary, fourteen members.
23. Labor and Capital, eleven members.
24. Manufactures, five members.
25. Military Affairs, five members.
26. Mines and Mining, five members.
27. Motor Vehicles, thirteen members.
28. Municipal Corporations, eleven members.
29. Oil Industries, nine members.
30. Prisons and Reformatories, nine members.
31. Public Charities and Corrections, seven members.
32. Public Health and Quarantine, eleven members.
33. Public Morals, seven members.
34. Public Utilities, eleven members.
35. Reapportionment, fifteen members.
36. Revenue and Taxation, thirteen members.
37. Revision of Criminal Law and Procedure, seven members.
38. Roads and Highways, thirteen members.
39. Rules, five members.
40. Universities and Teachers Colleges, nine members.

*Schedules for Committee Meetings.*

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

*Quorum of Standing Committees.*

10. Each standing committee shall determine (a) its own quorum, and (4) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

*No Committee Expenditures Permitted.*

11. No member of any committee shall, except by resolution of the Senate, be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the constitutional recess, be permitted to visit State institutions for which appropriations are asked, and shall be allowed his actual expenses while on such business.

*Special Duties of Certain Committees—Committee on Engrossment and Enrollment.*

12. All Senate bills, constitutional amendments, and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The

indications of new matter, omissions, or amendments appearing upon the printed bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

*Engrossing and Enrolling Bills.*

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

*Committee on Rules.*

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

*Committee on Contingent Expenses.*

15. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.

*Committee on Revision and Printing.*

16. The Committee on Revision and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

*Other Senate Officers—Secretary of the Senate.*

17. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

*Custody of Bills and Papers.*

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

*Sergeant-at-Arms of the Senate.*

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.



*Distribution of Printed Matter.*

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

*Preparation and Introduction of Bills—Introduction and First Reading.*

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

*Joint and Concurrent Resolutions and Constitutional Amendments.*

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur after they have been reported by committee.

*Introduction of Bills by a Committee.*

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

*Introduction of Bills After the Constitutional Recess.*

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, nor shall the number to be introduced by any one member be limited.

*Bills in Committees—Reference of Senate Bills.*

25. At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

*Order of Reference.*

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

*Reference with Special Instructions.*

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend.

*Reference of Assembly Bills.*

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment, Enrollment and Printing for comparison, which committee shall report without delay whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

*Reference of Appropriation Bills.*

29. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for

adjournment sine die shall in all cases whether originating in the Senate or coming from the Assembly be referred to the Committee on Finance.

*Notice to Author of Bill.*

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

*Committee Amendments to Bills.*

31. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

*Reports of Committees.*

32. All committees shall act upon bills referred to them as soon as practicable and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

*Order of Considering Bills—Order of Making File.*

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.

*The General File.*

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

*Special Order.*

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

*Three Readings of Bills.*

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the yeas and noes dispense with this provision).

*Ordering Bills to Third Reading.*

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

*Bills Considered During Last Seven Days.*

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll call.

*Questions and Motions: Precedence of Motions During Debate.*

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

*Provided, however, that during a call of the Senate, it may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.*

*Amendment or Division of Question.*

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

*Restrictions as to Amendments.*

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

*Vote Required for Amendments.*

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

*Procedure of Debate—Seconding and Announcement of Motion.*

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary before the same shall be debated.

*Regulations as to Speaking.*

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

*Securing of the Floor.*

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

*Order in Debate.*

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

*The Previous Question*

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

*Executive Session.*

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.



*Voting by Senate—Calling Ayes and Noes.*

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

*Excused From Voting.*

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

*Reconsideration of Vote.*

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill concurrent or joint resolution, has been passed or defeated, fourteen votes to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

*When Bill Is Held for Reconsideration.*

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

*When Bill Is Recalled for Reconsideration.*

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

*Debate on Motion to Reconsider.*

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

*Messages and Other Papers—Messengers from the Governor.*

55. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

*Messengers from the Assembly.*

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

*Consideration of Assembly Messages.*

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

*Reading of Papers.*

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

*Contents of Senate Journal—Proceedings to be Printed.*

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

*Titles of Bills to be Printed.*

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

*Statement of Petitions to be Printed.*

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

*Other Matter to be Printed.*

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.

*Legislative Printing—Number of Bills Printed.*

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

*Number of Journals Printed.*

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

*Number of Other Documents Printed.*

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

*Excess Printing Only on Written Order.*

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

*Form of Printing Amendments.*

67. All bills amended shall immediately be reprinted; the new matter added by any amendments to be enclosed in heavy brackets, and the omission of any matter to be indicated by the insertion of heavy parentheses.

*The Senate Chamber—Admission Within Bar of Senate.*

68. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

*No Lobbying in Senate Chamber.*

69. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

*Maintaining of Order.*

70. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

*Smoking Within Senate Chamber.*

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

*Miscellaneous Provisions—Duties of Members.*

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for

nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

#### RESOLUTION.

The following resolution was offered:

By Senator Breed:

*Resolved*, That the following shall be the rules of procedure of the Senate in the introduction of bills on the first day when bills shall be introduced during the present session:

That the roll of Senators shall be called from "A" to "Y" and then back from "Y" to "A", and as each member's name is called he shall have the privilege of introducing one bill.

Resolution read, and on motion of Senator Breed adopted.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Baker: Senate Bill No. 2—An act to amend section 738 of the Political Code, relating to the salaries of the judges of the superior court of the County of Monterey.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Breed: Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended and approved May 23, 1925.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Fellom: Senate Bill No. 4—An act to amend section 193 of the Penal Code, relating to the punishment of persons found guilty of murder.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Garrison: Senate Bill No. 5—An act to provide for the organization and creation of improvement districts within irrigation districts organized under the "California Irrigation District Act"; to provide for the construction of improvements therein, and for the levy of assessments on the lands of such improvement districts.

Bill read first time, and referred to Committee on Irrigation.



By Senator Handy: Senate Bill No. 6—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Hurley: Senate Bill No. 7—An act to amend section 1260 of the Civil Code, relating to homestead exemptions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 8—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system based on investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to the appointment and salaries of the State Civil Service Commissioners.

Bill read first time, and referred to Committee on Civil Service.

By Senators Nelson and Weller: Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act.

Bill read first time, and referred to Committee on Judiciary.

By Senator West: Senate Bill No. 10—An act to provide for daylight saving; providing that the hours for the transaction of business by courts, public officers and legal and official proceedings shall be governed hereby, and making the same an urgency measure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Maloney: Senate Bill No. 11—An act to prohibit the employment of aliens by contractors and sub-contractors on public work being done under the authority of the State, or any officer or department thereof, or under the authority of any county, city and county, city, or town, or any officer or department thereof, except in cases of extraordinary emergency, caused by fire, flood, or danger to life or property, or except to work upon public military or naval defenses or works in time of war, and except when it can be shown to the satisfaction of the proper constituted authorities that at the time of employment citizens of this State and of the United States were not available for employment, providing that where citizens are unavailable for employment and aliens are employed and citizens later become available, they shall be given the positions held by the non-citizens, and providing penalties for the violation of any of the provisions hereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Garrison: Senate Bill No. 12—An act to amend section 487 of the Penal Code, relating to grand larceny.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Breed: Senate Bill No. 13—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir Trail" and laterals therefrom.

Bill read first time, and referred to Committee on Finance.

By Senator Hurley: Senate Bill No. 14—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 15—An act relating to actions against an insurance carrier when the insured person is insolvent or bankrupt, or without property sufficient to satisfy execution on account of loss or damage insured against, and requiring policy to be exhibited in certain cases.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 16—An act to amend section 609 of the Political Code, relating to the promotion of insurance companies and the sale of securities.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 17—An act to add a new section to the Penal Code to be numbered 550, relating to the publication of deceptive statements by insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 18—An act relating to the liquidation of insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Christian: Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 20—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in, and when and how it may be withdrawn.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 22—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in

cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to election precincts.

Bill read first time, and referred to Committee on Elections.

**Also:** Senate Bill No. 23—An act to amend section 2969 of the Civil Code, relating to levy of writs of attachment and execution.

Bill read first time, and referred to Committee on Judiciary.

**Also:** Senate Bill No. 24—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read first time, and referred to Committee on Elections.

**Also:** Senate Bill No. 25—An act to amend section 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing state and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents.

Bill read first time, and referred to Committee on Public Health and Quarantine.

#### RECESS.

On motion of Senator Breed, at eleven o'clock and thirty minutes a.m., the President of the Senate declared recess until eleven o'clock and forty minutes a.m.

#### RECONVENED.

At eleven o'clock and forty minutes a.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read, and referred to the Committee on Rules:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, January 6, 1927.

*To the Senate and Assembly of the State of California.*

The State of California is vitally concerned with the development of the lower Colorado River. A comprehensive plan for its development has been worked out by Federal agencies. This contemplates what is known as the Boulder Canyon project and is authorized by the Swing-Johnson bill now pending in the Congress of the



United States. This bill is before both houses of Congress in almost identical form and has received favorable committee action.

The State as such should have some official representation at Washington to aid and assist the State's representatives in the Senate and House in forwarding this vitally important legislation. I therefore respectfully ask your authorization to designate three or more citizens of California to represent the State in this respect.

Again it is desirable that a tri-state compact or agreement between the states of Arizona, California and Nevada respecting the use of the waters of the Colorado River be reached. A legislative committee has been working faithfully to this end. As yet it has not been possible to arrive at a completely satisfactory agreement. Negotiations looking to such a tri-state agreement should be carried on without delay. I therefore urge prompt action to provide an appropriate board or committee to represent the State in carrying on these negotiations with representatives of the states of Arizona and Nevada.

Respectfully submitted.

C. C. YOUNG, Governor.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER ONE—  
(OUT OF ORDER).

Senator Swing asked unanimous consent for the consideration of Senate Joint Resolution No. 1, without reference to committee.

Unanimous consent granted.

SENATE JOINT RESOLUTION No. 1.

Relating to the development of the Colorado River and authorizing the appointment of a committee to forward the legislation providing for such development.

WHEREAS, There is now pending in the Congress of the United States a measure, known as the Swing-Johnson Bill, providing for the immediate development of the Colorado River, by the construction, by the United States, of a high dam at Boulder Canyon and an all American canal; and

WHEREAS, The State of California is vitally interested in such development and the legislation authorizing it; and

WHEREAS, The public interest demands that the State of California aid and assist in every appropriate way, in forwarding the adoption by Congress of such legislation; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly.* That the Swing-Johnson bill now pending in the Congress of the United States be endorsed, and its prompt enactment urged; and be it further

*Resolved,* That the Governor of the State of California be and he is hereby authorized to designate a commission, consisting of three citizens of this State, to aid and assist our representatives in Congress in forwarding said legislation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 1 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at eleven o'clock and fifty minutes a.m., the President of the Senate declared recess for ten minutes.

RECONVENED.

At twelve o'clock m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 3—Providing for the appointment of a joint committee to investigate the advisability of installing electric voting machines in the two houses of the Legislature.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 3 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 1—Relative to the appointment of a committee to negotiate with committees from the states of Arizona and Nevada for the purpose of settling the respective rights of California, Arizona and Nevada in and to the waters of the Colorado River system.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER ONE.

Senator Swing asked for and was granted unanimous consent to take up for consideration at this time Assembly Joint Resolution No. 1, for the purpose of adoption.

## ASSEMBLY JOINT RESOLUTION No. 1.

Relating to the appointment of a committee to negotiate with committees from the states of Arizona and Nevada for the purpose of settling the respective rights of California, Arizona and Nevada in and to the waters of the Colorado River system.

WHEREAS, Pursuant to an act of Congress and acts of the various states herein-after mentioned, representatives of the United States of America and of the states of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, met at Santa Fe, New Mexico, and did on the twenty-fourth day of November, 1922, enter into and execute a compact, known as the Colorado River Compact, which compact was subject to ratification as therein provided; and

WHEREAS, For the purpose of said compact and the allocation of the waters of the Colorado River system therein described, the aforesaid states were grouped into what is therein defined as the upper basin and the lower basin, which lower basin includes the states of Arizona, California, and Nevada; and

WHEREAS, In and by said compact there was allocated to said lower basin certain portions of the waters of said Colorado River system; and

WHEREAS, It is desirable to have the respective rights of the states in said lower basin, in and to the use of said waters of said Colorado River system, so allocated to said lower basin, determined, fixed and defined; and

WHEREAS, A committee appointed pursuant to Senate Joint Resolution No. 28 of the forty-sixth Legislature has been in extended conferences and negotiations with representatives of the states of Arizona and Nevada, but has not as yet succeeded in arriving at an agreement with said states; and

WHEREAS, It is desirable that a committee be provided to represent the Legislature and the State of California to carry on said negotiations with representatives of said states of Arizona and Nevada; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly.* That a committee of three be appointed by the Governor, to represent the Legislature and the State, which committee shall have authority, and it shall be its duty, to confer and negotiate with duly authorized committees representing the states of Arizona and Nevada respecting the claims and rights of said states of said lower basin, in and to the waters of said Colorado River system; and be it further

*Resolved.* That said committee be and it is hereby authorized to enter into an agreement, in behalf of the State of California, with the said states of Arizona and Nevada, or with either of them, fixing and determining the rights of said lower basin states, or either or any of them, in and to the use of the waters of the Colorado River system and shall report to the present session of the Legislature, from time to time, respecting its labors and the agreement, if any be reached, in respect to the use of such waters, together with its recommendations in regard thereto; *provided, however,* that any agreement entered into by said committee shall

not be binding or obligatory upon the State of California, unless and until such agreement shall have been ratified and approved by the legislatures of the states entering into such agreement and by the Congress of the United States; and be it further

*Resolved*, That the members of said committee shall serve without compensation, but each shall be allowed his traveling, hotel expenses and necessary incidental expenses, and said committee shall be authorized to employ such clerical assistance as shall be necessary. The sum of one thousand dollars is hereby set aside from the contingent fund of the Senate, and a like sum from the contingent fund of the Assembly, and made available for the purpose of defraying the expenses, if any, of such committee and committeemen, which expenses shall be paid equally from such contingent funds of the Senate and Assembly, and the State Controller is hereby authorized and directed to draw his warrant in favor of the members of said committee for such expenditures as may be certified to him from time to time by said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Assembly Joint Resolution No. 1 ordered transmitted to the Assembly.

#### MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read, and referred to the Committee on Rules:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, January 6, 1927.

*To the Senate of the State of California.*

I hereby respectfully withdraw from the consideration of your honorable body the appointment of Thomas M. Gannon as member of the State Board of Prison Directors.

Respectfully submitted.

C. C. YOUNG, Governor.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, January 6, 1927.

*To the Senate of the State of California.*

I have the honor to inform your honorable body that I have this day made the following appointments:

Charles L. Neumiller, of Stockton, member of the State Board of Prison Directors, vice Thomas M. Gannon, appointment withdrawn.

Bert B. Meek, of Oroville, member of the State Board of Prison Directors, vice Gilbert D. Daniels, deceased.

Charles E. McLaughlin, of Sacramento, member of the State Board of Prison Directors, vice John G. Mattos, Jr., resigned.

I respectfully ask the advice and consent of the Senate to the above named appointments.

Respectfully submitted.

C. C. YOUNG, Governor.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senators Johnson and Jones, H. C.: Senate Bill No. 26—An act to provide for the survey and construction of a State highway from Governor's Camp in the California Redwood Park, to the coast road at a point-----, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.



## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 1 - Relative to the development of the Colorado River, and authorizing the appointment of a committee to forward the legislation providing for such development.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. WM. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 1 ordered to enrollment.

## ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

## IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Friday, January 7, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—37.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 6, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for the day.

Senator Lyon was, on motion of Senator Evans, granted leave of absence for the day.

Senator Pedrotti was, on motion of Senator McKinley, granted leave of absence for the day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Frank M. Carr, former member of the Senate, and Mrs. Carr of Oakland.

## RESOLUTION.

The following resolution was offered:

By Senator Breed:

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Senator	County	Mileage	Total at five cents per mile
Allen, J. M.	Siskiyou	590	\$29 50
Allen, Newton M.	Los Angeles	894	44 70
Baker, C. C.	Monterey	416	20 80
Boggs, Frank S.	San Joaquin	96	4 80
Breed, Arthur H.	Alameda	168	8 40
Canepa, Victor J.	San Francisco	180	9 00
Chamberlin, Harry A.	Los Angeles	894	44 70
Christian, E. H.	Alameda	182	9 10
Cobb, Charles H.	Fresno	338	16 90
Crowley, John J.	San Francisco	180	9 00
Evans, H. J.	Los Angeles	914	45 70
Fellom, Roy	San Francisco	180	9 00
Garrison, J. C.	Stanislaus	164	8 20
Gray, P. J.	San Francisco	180	9 00
Handy, Fred C.	Mendocino	300	15 00
Hollister, J. James	Santa Barbara	1004	50 20
Hurley, Edgar S.	Alameda	168	8 40
Ingram, Thomas	Nevada	154	7 70
Inman, J. M.	Sacramento	2	10
Johnson, M. B.	San Mateo	288	14 40
Jones, Herbert C.	Santa Clara	256	12 80
Jones, Ray	Yuba	104	5 20
Kline, Chester M.	Riverside	1100	55 00
Lyon, Charles W.	Los Angeles	926	46 30
Maloney, Thomas A.	San Francisco	180	9 00
McKinley, J. W.	Los Angeles	894	44 70
Mueller, Edwin A.	San Diego	1178	58 90
Murphy, Daniel C.	San Francisco	180	9 00
Nelson, H. C.	Humboldt	624	31 20
Pedrotti, J. L.	Los Angeles	894	44 70
Rush, Benjamin F.	Solano	80	4 00
Sharkey, Will R.	Contra Costa	124	6 20
Slater, Herbert W.	Sonoma	180	9 00
Swing, Ralph E.	San Bernardino	1016	50 80
Taylor, Cadet	Los Angeles	958	47 90
Tubbs, Tallant	San Francisco	180	9 00
Wagy, J. I.	Kern	556	27 80
Weller, Frank C.	Los Angeles	910	45 50
West, T. C.	Alameda	168	8 40
Young, Sanborn	Santa Clara	278	13 90

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Jones, Ray:

WHEREAS, The yearly compensation of the judge of the superior court of Sutter County was fixed at the sum of \$4,000, by an amendment to section 737 of the Political Code which took effect on the fifth day of January, 1903, and the same has never been changed since that date; and

WHEREAS, Sutter County now has a population of more than 15,000 and the assessed valuation of the property of the county is now over \$18,000,000, and the actual value of the same is more than \$40,000,000; and

WHEREAS, The work and duties of the judge of said court have more than doubled in the last ten years; and

WHEREAS, Under the amendment to the constitution adopted by the people of the State at the last election, known as the Judicial Council, the judge will be required to act for and assist judges of the courts of other counties whenever called upon so to do or where assigned to assist judges of other jurisdictions by such council, thus enlarging and increasing the work and duties of such office; and

WHEREAS, The present salary of the judge of said court as fixed in 1903 is not sufficient nor has it been sufficient for many years to justly compensate such officer for the work and labor required of such officer in the discharge of the duties of said office; and

WHEREAS, Owing to increased work and a general advance in salaries of all officers of the State, the compensation allowed by law to the different offices of Sutter County has been increased since 1903, as follows:

	1903.	1927.
County clerk -----	from \$1,500	to \$4,800
Sheriff -----	from 3,500	to 4,800
Auditor and recorder -----	from 1,500	to 6,700
Treasurer and tax collector -----	from 1,500	to 7,600
Assessor -----	from 1,800	to 5,300
District attorney -----	from 1,500	to 3,600
Superintendent of schools -----	from 1,200	to 3,600; and

WHEREAS, It is evident for the reasons hereinbefore stated that the salary of the office of judge of the superior court should be increased; therefore, be it

*Resolved*, By the grand jury of Sutter County that the Legislature convening on the third day of January, 1927, be and it is hereby requested and this body hereby recommends that either section 737 of the Political Code, be so amended or that a new section of said code be so enacted that the annual salary of the judge of the superior court of this county shall be fixed at the sum of \$6,000.

*Resolved, further*, That the Assemblyman and Senator from this district be and each of them is hereby requested to have the present law so amended that the salary of such official may be increased as indicated in these resolutions.

*Resolved, further*, That the secretary of this body be and she is hereby directed to send a copy of these preambles and resolutions to the Senate and Assembly as soon as the Legislature convenes and that copies thereof be at once mailed to the Senator and Assemblyman elect of this district.

State of California, }  
County of Sutter. } ss.

I, Emma Walton, secretary of the grand jury of Sutter County, regularly drawn and impaneled, do hereby certify that the above and foregoing is a true and correct copy of preambles and resolutions passed and adopted by said grand jury at a session thereof regularly called and held in the county court house of Sutter County, at Yuba City, California, on the twentieth day of December, 1926.

In witness whereof, I have hereunto set my hand this twentieth day of December, 1926.

EMMA WALTON.

Secretary of the Grand Jury of Sutter County, California.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Swing: Senate Concurrent Resolution No. 4—Approving amendment to the charter of the county of San Bernardino, State of California.

Referred to Committee on County Government.



By Senator Cobb: Senate Bill No. 27—An act to amend section 647 of the Penal Code defining and punishing the crime of vagrancy.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Garrison: Senate Bill No. 28—An act to amend section 46 of the "California Irrigation District Act," approved March 31, 1897, relating to the entry of the record of assessment sales and the addition of penalties to assessments upon redemption.

Bill read first time, and referred to Committee on Irrigation.

#### RESOLUTION.

The following resolution was offered:

By Senator Breed:

*Resolved*, That the proposed standing rules of the Senate as printed in the Journal of January 6, 1927, be adopted as the standing rules of the Senate.

Resolution read.

#### SUBSTITUTE RESOLUTION OFFERED.

By Senator Swing:

The following substitute resolution was offered and its adoption moved:

*Resolved*, That the temporary rules of the Senate of the forty-seventh session of the Legislature of the State of California, adopted on the third day of January, 1927, be and they are hereby adopted as the permanent rules of the forty-seventh session of the Senate.

Resolution read.

#### AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Slater and Tubbs upon the adoption of the substitute resolution as offered by Senator Swing. Whereupon the Secretary was directed to call the roll.

The roll was called, and the substitute resolution refused adoption by the following vote:

AYES—Senators Christian, Fellom, Hurley, Jones, Ray; Swing, and West—6.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Evans, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagye, Weller, and Young—29.

#### UNANIMOUS CONSENT GRANTED.

Senator Breed asked for and was granted unanimous consent to have the number of members composing the Committee on Revision of Criminal Law and Procedure changed from seven to nine members.

The question being on the final adoption of the resolution offered by Senator Breed.

The roll was called, and the resolution and Standing Rules adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagye, Weller, and Young—32.

NOES—Senators Christian, and West—2.

#### STANDING RULES OF THE SENATE.

The following are the standing rules of the Senate as presented by Senator Breed:

## STANDING RULES OF THE SENATE.

*Convening and Order of Business—Hour of Meeting.*

1. The sessions of the Senate shall be daily (Sundays excepted) beginning at eleven o'clock a.m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of one o'clock p.m. until the hour of two o'clock p.m., unless otherwise ordered by a vote of the Senate.

*Calling to Order.*

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

*Order of Business.*

3. The order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading and Reference of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

*Presiding Officers of the Senate—The President.*

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

*The President Pro Tempore.*

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

*Presiding by Senators.*

6. The President or President pro tempore, in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

*Committees of the Senate—Appointment of Committees.*

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

*List of Standing Committees.*

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, fifteen members.
2. Banking, nine members.
3. Building and Loan Associations, five members.
4. Civil Service, five members.
5. Commerce and Navigation, nine members.
6. Conservation, seven members.
7. Constitutional Amendments, nine members.
8. Contingent Expenses, three members.
9. Corporations, nine members.
10. County Government, eleven members.
11. Drainage, Swamp and Overflowed Lands, nine members.
12. Education, fifteen members.
13. Elections, eleven members.
14. Engrossment, Enrollment and Printing, five members.
15. Federal Relations, five members.
16. Finance, eighteen members.
17. Fish and Game, fifteen members.
18. Governmental Efficiency, nine members.
19. Hospitals and Asylums, nine members.
20. Insurance, eleven members.

21. Irrigation, seven members.
22. Judiciary, fourteen members.
23. Labor and Capital, eleven members.
24. Manufactures, five members.
25. Military Affairs, five members.
26. Mines and Mining, five members.
27. Motor Vehicles, thirteen members.
28. Municipal Corporations, eleven members.
29. Oil Industries, nine members.
30. Prisons and Reformatories, nine members.
31. Public Charities and Corrections, seven members.
32. Public Health and Quarantine, eleven members.
33. Public Morals, seven members.
34. Public Utilities, eleven members.
35. Reapportionment, fifteen members.
36. Revenue and Taxation, thirteen members.
37. Revision of Criminal Law and Procedure, nine members.
38. Roads and Highways, thirteen members.
39. Rules, five members.
40. Universities and Teachers Colleges, nine members.

*Schedules for Committee Meetings.*

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

*Quorum of Standing Committees.*

10. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

*No Committee Expenditures Permitted.*

11. No member of any committee shall, except by resolution of the Senate, be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the constitutional recess, be permitted to visit State institutions for which appropriations are asked, and shall be allowed his actual expenses while on such business.

*Special Duties of Certain Committees—Committee on Engrossment and Enrollment.*

12. All Senate bills, constitutional amendments, and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The indications of new matter, omissions, or amendments appearing upon the printed bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

*Engrossing and Enrolling Bills.*

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

*Committee on Rules.*

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

*Committee on Contingent Expenses.*

15. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.



*Committee on Revision and Printing.*

16. The Committee on Revision and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

*Other Senate Officers—Secretary of the Senate.*

17. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

*Custody of Bills and Papers.*

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

*Sergeant-at-Arms of the Senate.*

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

*Distribution of Printed Matter.*

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

*Preparation and Introduction of Bills—Introduction and First Reading.*

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

*Joint and Concurrent Resolutions and Constitutional Amendments.*

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur after they have been reported by committee.

*Introduction of Bills by a Committee.*

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

*Introduction of Bills After the Constitutional Recess.*

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to

authorize their introduction, nor shall the number to be introduced by any one member be limited.

*Bills in Committees—Reference of Senate Bills.*

25. At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

*Order of Reference.*

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

*Reference with Special Instructions.*

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend.

*Reference of Assembly Bills.*

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee: *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

*Reference of Appropriation Bills.*

29. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for adjournment sine die shall in all cases whether originating in the Senate or coming from the Assembly be referred to the Committee on Finance.

*Notice to Author of Bill.*

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

*Committee Amendments to Bills.*

31. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

*Reports of Committees.*

32. All committees shall act upon bills referred to them as soon as practicable and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

*Order of Considering Bills—Order of Making File.*

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.

*The General File.*

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

*Special Order.*

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

*Three Readings of Bills.*

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision).

*Ordering Bills to Third Reading.*

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

*Bills Considered During Last Seven Days.*

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll call.

*Questions and Motions—Precedence of Motions During Debate.*

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

*Provided, however,* that during a call of the Senate, it may consider and transact any matter of business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

*Amendment or Division of Question.*

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

*Restrictions as to Amendments.*

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

*Vote Required for Amendments.*

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

*Procedure of Debate—Seconding and Announcement of Motion.*

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary before the same shall be debated.

*Regulations as to Speaking.*

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.



2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

#### *Securing of the Floor.*

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

#### *Order in Debate.*

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

#### *The Previous Question.*

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

#### *Executive Session.*

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

#### *Voting by Senate—Calling Ayes and Noes.*

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

#### *Excused From Voting.*

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

#### *Reconsideration of Vote.*

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill concurrent or joint resolution, has been passed or defeated, fourteen votes to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

#### *When Bill Is Held for Reconsideration.*

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for

moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

*When Bill Is Recalled for Reconsideration.*

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

*Debate on Motion to Reconsider.*

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

*Messages and Other Papers—Messengers from the Governor.*

55. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

*Messengers from the Assembly.*

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

*Consideration of Assembly Messages.*

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

*Reading of Papers.*

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

*Contents of Senate Journal—Proceedings to be Printed.*

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

*Titles of Bills to be Printed.*

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

*Statement of Petitions to be Printed.*

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

*Other Matter to be Printed.*

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.

*Legislative Printing—Number of Bills Printed.*

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

*Number of Journals Printed.*

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

*Number of Other Documents Printed.*

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

*Excess Printing Only on Written Order.*

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the

Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

*Form of Printing Amendments.*

67. All bills amended shall immediately be reprinted; the new matter added by any amendments to be enclosed in heavy brackets, and the omission of any matter to be indicated by the insertion of heavy parentheses.

*The Senate Chamber—Admission Within Bar of Senate.*

68. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

*No Lobbying in Senate Chamber.*

69. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President *pro tempore* are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

*Maintaining of Order.*

70. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

*Smoking Within Senate Chamber.*

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

*Miscellaneous Provisions—Duties of Members.*

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

*Resolved*, That all persons appearing, or being, or desiring to appear, or be, at or in the Senate Chamber, or at or in any committee room of the Senate for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Senate, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Senate upon any such bill, measure, or resolution or upon any anticipated or proposed bill, measure, or resolution shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and has filed with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms issue to such person a certificate that he has so registered in conformity with this resolution, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.



No person shall appear at or enter the Senate Chamber, or any committee room of the Senate, for the purpose of advocating the adoption or defeat of any bill, measure, or resolution, without first having registered and secured the certificate, as herein provided.

Senator Swing asked unanimous consent for the consideration of the above resolution, without reference to committee.

Unanimous consent granted.

Resolution read, and on motion of Senator Swing adopted.

#### RESOLUTION.

The following resolution was offered:

By Senator Breed:

*Resolved*, That the Sergeant-at-Arms of the Senate or the bookkeeper for the Sergeant-at-Arms of the Senate be and he is hereby authorized and empowered to receipt to the Controller for all warrants for payments to members, officers and attaches of the Senate.

Resolution read, and on motion of Senator Breed adopted.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC. — (RESUMED).

By Senator Johnson: Senate Bill No. 29—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 30—An act to provide that a certain highway in Santa Cruz County shall become a State highway on approval of such highway by the California Highway Commission.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 31—An act to appropriate \$5,000 to be used by the California Highway Commission for the purpose of making a survey for a road from the city of Hollister to Soledad.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Hurley: Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article XVI thereof a new section, to be numbered section 2½, relating to State highway bonds.

Referred to Committee on Constitutional Amendments.

Also: Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 33—An act to amend section 2 of an act entitled, "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau

of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 34—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

Bill read first time, and referred to Committee on Manufactures.

Also: Senate Bill No. 35—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State and prescribing punishment for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Labor and Capital.

#### ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, January 10, 1927.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Monday, January 10, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young 36.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 7, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator West, granted leave of absence for the day.

Senator Christian was, on motion of Senator West, granted leave of absence for the day.

Senator Garrison was, on motion of Senator Inman, granted leave of absence for the day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Juanita Connors and Lillian Arnette of Hollywood.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Russell Pennycook, editor and publisher of the Vallejo Chronicle.

## NOTICE OF MOTION TO AMEND.

Senator Breed gave notice that on the next legislative day he would move to amend the Standing Rules of the Senate, as adopted January 7, as follows:

## AMENDMENT NUMBER ONE.

Wherever the words "Engrossment and Enrollment" appear in said rules as the designation of a Senate committee, amend the same to read "Engrossment, Enrollment and Printing".

## AMENDMENT NUMBER TWO.

Wherever the words "Revision and Printing" occur in said rules as the name of a Senate committee, amend the same to read "Engrossment, Enrollment and Printing".

## AMENDMENT NUMBER THREE.

In Rule 8, following the words "Governmental Efficiency," strike out the word "nine" and insert in lieu thereof the word "thirteen".

## AMENDMENT NUMBER FOUR.

Following Rule No. 72, insert the following:

*Call of the Senate.*

73. Upon a motion being carried for a call of the Senate the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Senate except by written permission of the President or President pro tempore, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the Senate.

*Parliamentary Rules.*

74. In all cases not provided for by these rules, or by the Joint Rules of Senate and Assembly, the authority shall be Robert's Rules of Order.

*Suspension or Change of Rules.*

75. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 13, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

## AMENDMENT NUMBER FIVE.

Amend Rule No. 8, so as to provide that the Committee on Governmental Efficiency shall consist of thirteen members, the Committee on Motor Vehicles fifteen members, and the Committee on Roads and Highways fifteen members.

## PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:



## By Senator Evans:

WHEREAS, The citrus white fly has three foci of infestation in California—the cities of Sacramento, Marysville and Yuba City; and

WHEREAS, Should the white fly become established in southern California it would become our worst pest, as it now is in Florida, and would be comparable with our present black scale, which costs southern California \$5,000,000 a year in control and Los Angeles County alone \$1,250,000 annually, to which should be added the cost of fruit washing, fruit and tree loss, which brings the annual loss to southern California to above \$15,000,000; and

WHEREAS, The State Department of Agriculture needs \$160,000 to carry on control and eradication work in connection with the white fly in the next two years, and having available only \$80,000 at the present time (\$40,000 of which was donated by the California Fruit Growers Exchange), which will take care of the first year, and being in need of \$80,000 to carry on through the second year, without interruption; therefore, be it

Resolved, That Governor-elect Young and the southern California legislators be apprised of the necessity of their support of this action.

## LOS ANGELES CHAMBER OF COMMERCE.

A. G. ARNOLD, Secretary and General Manager.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

By Senator Inman: Senate Bill No. 36—An act providing for the construction of a permanent approach to the bridge across the Sacramento River at Rio Vista in Solano and Sacramento counties, and making an appropriation therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Breed: Senate Bill No. 37—An act making an appropriation to meet the deficiency in the appropriation for the mileage of State Senators for the seventy-seventh and seventy-eighth fiscal years.

Bill read first time, and ordered on second reading file, without reference to committee.

By Senator McKinley: Senate Bill No. 38—An act to amend section 831½ of the Code of Civil Procedure, relative to recovery of costs in municipal courts.

Bill read first time, and referred to Committee on Municipal Corporations.

## RECALL OF SENATE CONCURRENT RESOLUTION NUMBER TWO FROM COMMITTEE.

Senator Crowley asked for and was granted unanimous consent to recall Senate Concurrent Resolution No. 2 from the Committee on Municipal Corporations for the purpose of adoption.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senate Concurrent Resolution No. 2—Relative to approving five certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco at a general election held therein on the second day of November, 1926.

Resolution read.

The question being on the final adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Senate Concurrent Resolution No. 2 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Canepa, at eleven o'clock and fifteen minutes a.m., the President of the Senate declared recess until eleven o'clock and thirty minutes a.m.

RECONVENED.

At eleven o'clock and thirty minutes a.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, January, 10, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following message from the Governor:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 6, 1927.

*To the Senate of the State of California.*

I have the honor to inform your honorable body that I have this day made the following appointments: Charles L. Neumiller of Stockton, member of the State Board of Prison Directors, vice Thomas M. Gannon, appointment withdrawn; Bert B. Meek of Oroville, member of the State Board of Prison Directors, vice Gilbert D. Daniels, deceased; Charles E. McLaughlin of Sacramento, member of the State Board of Prison Directors, vice John G. Mattos, Jr., resigned.

I respectfully ask the advice and consent of the Senate to the above named appointments.

Respectfully submitted.

(Signed) C. C. YOUNG, Governor.

Has had the same under consideration, and respectfully reports the same back, and recommends that the Senate advise and consent to the above appointments.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

#### MOTIONS CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Breed moved that the Senate advise and consent to the appointment of Charles L. Neumiller by the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of Charles L. Neumiller of Stockton as a member of the State Board of Prison Directors, vice Thomas M. Gannon, appointment withdrawn?"

The roll was called with the following result:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Charles L. Neumiller of Stockton as a member of the State Board of Prison Directors, vice Thomas M. Gannon, appointment withdrawn.

Senator Breed moved that the Senate advise and consent to the appointment of Bert B. Meek by the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of Bert B. Meek of Oroville as a member of the State Board of Prison Directors, vice Gilbert D. Daniels, deceased?"

The roll was called, with the following result:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Bert B. Meek of Oroville as a member of the State Board of Prison Directors, vice Gilbert D. Daniels, deceased.

Senator Breed moved that the Senate advise and consent to the appointment of Charles E. McLaughlin by the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of Charles E. McLaughlin of Sacramento as a member of the State Board of Prison Directors, vice John G. Mattos, Jr., resigned?"

The roll was called, with the following result:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—34.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Charles E. McLaughlin of Sacramento as a member of the State Board of Prison Directors, vice John G. Mattos, Jr., resigned.

#### RESOLUTION.

The following resolution was offered:

By Senator Swing:

*Resolved*, That the person hereinafter named be allowed the sum set opposite her name, for service as stated, rendered to the Senate preliminary to the organization of the forty-seventh session, payable out of the contingent fund of the Senate, and the Controller be and he is hereby directed to draw his warrant on the contingent fund in favor of the person hereinafter named for the sum set opposite her name, and the Treasurer is directed to pay the same:

Dorothy Reese, Stenographer, 1 day at \$5 00-----\$5 00

Resolution read.

Senator Swing moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.



## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 2—Approving five certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the second day of November, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 2 ordered to enrollment.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Allen, N. M.: Senate Bill No. 39—An act to amend sections 1, 3, 4, 5, 10, 12, 13, 23, 24, and 33 of an act entitled "An act to provide for and regulate primary elections and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to the date of holding primary elections.

Bill read first time, and referred to Committee on Elections.

By Senator Crowley: Senate Bill No. 40—An act to amend section 739 of the Political Code, relating to salaries of officers of the Supreme Court.

Bill read first time, and referred to Committee on Governmental Efficiency.

## ADJOURNMENT.

At twelve o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

## IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, January 11, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram,

Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, West, and Young—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 10, 1927, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Murphy was, on motion of Senator Crowley, granted leave of absence for the day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John A. Harvey of Santa Ana, California.

ADDRESS.

On motion of Senator Taylor, the address delivered by Senator H. C. Jones, before the Commonwealth Club of San Francisco, on State finances was ordered published in the Senate Journal.

THE LEGISLATURE AND STATE FINANCES.

From Governor Young's remarks, as well as the remarks of General Webb, you have gathered that, at times, there has been confusion about the interpretation of the budget amendment and the budget law.

The financial aspect of our State government, as you can readily appreciate, is becoming increasingly important. The pamphlet that was issued to the voters containing the measures to be voted on at the last election had twenty-eight proposals. Considerably more than a majority of them dealt with questions of bond issues, finances, revenue and taxation. Sixteen, in fact, out of the twenty-eight were finance measures.

Finance and taxation is a matter of vital interest to every citizen, not only to the property owner, but to every citizen who pays taxes, directly or indirectly. And so it becomes important to give consideration to the question of taxes.

COSTS OF STATE GOVERNMENT RISING.

I have here the chart prepared a year ago by State Controller Riley, giving the expense for running the State Government from 1910 to 1924. In 1910 the total expense for running the government of the State was slightly over \$14,000,000. In 1924 it was about \$57,000,000. Last year, according to the report of the Controller, it amounted to about \$73,000,000.

Now, first of all, I think it is well to get a perspective of the whole field of taxation, because the State tax burden, increasing as it is, and presenting a problem that we are to discuss tonight, is, after all, a minor portion of the tax burden that we have in California. We pay, in California, over \$2,000,000 in taxes every day. According to the figures of Controller Riley, annually there is paid in taxes, by the people of California, over \$750,000,000. But less than one-tenth of that is the State tax burden. Of the \$750,000,000, \$150,000,000 is city and district and county taxes, \$225,000,000 is federal taxes, leaving about \$73,000,000 State taxes. So that, in getting this picture before us, we must appreciate first of all that State taxes are less than one-tenth of the total burden of taxes that we have to pay in this State. Nevertheless, the State taxes present the same problem as federal and local taxes do. They are increasing, as the Controller's paper pointed out tonight, at the rate of from 300 per cent to 500 per cent in a period of ten years, while the population increases by no such rate.

WHY ARE STATE TAXES INCREASING?

Then the question is, why are State taxes so increasing? It is a practical problem that we are interested in. The political history of California shows that four times there has been a political revolution, a political upheaval where the major if not the controlling issue was a question of economy, and yet, notwithstanding those political changes, the amount of State expense increases steadily and gradually. The expiring State administration, elected on the platform of reducing State expenditures and

economy, expended more, in four years, than the two previous administrations in eight years, in spite of the fact that it was elected upon a platform of economy and endeavored to make every effort to reduce State expenditures.

That brings us to an analysis of why it is that State expenditures are increasing at a rate much faster than the increase of population. Let us analyze, then, a few of the chief items of State taxes.

We will take, for example, the construction of highways. In the first year of the administration of Governor Johnson, 1911, there was spent for state highways, \$58,000. In the first year of the administration of Governor Richardson, twelve years afterwards, there was spent for the construction of State highways, instead of \$58,000, \$21,500,000. In other words, the one item alone of highways, in the first year of Governor Richardson's administration, was 50 per cent more than the total expenses for the entire conduct of the government of the State during the first year of Governor Johnson's administration. The total expense, under Governor Johnson, in the first year of his administration, was a little less than \$15,000,000. And yet, in the first year of Governor Richardson's administration, there was spent, for the construction of highways alone, \$21,500,000.

#### AUTOMOBILES INCREASING COST OF STATE GOVERNMENT.

You can appreciate from that, I think, that there must be some fundamental reason. And that reason is found in the advent of the automobile, which comes from the increase in the standard of living of the American people. As machinery releases human energy for other activities, the standard of living increases. And so in California we have today over one million automobiles, an average of one for every family in the State. That increase in the standard of living in the private homes demands a corresponding increase in the standard exacted of the State of California. Those automobile owners require highways as smooth as velvet. Every pound of rock and gravel and cement must be hauled and mixed and poured and smoothed out to make this system of highways. Now, that is expensive. And that accounts for the increased cost of highway construction.

#### EDUCATION IS COSTING MORE.

We pass to the matter of schools. In the first year of Governor Johnson's administration the total expenditure for schools was \$7,000,000. In the first year of Governor Richardson's administration it was something more than three times that; it was \$25,000,000.

That comes from a number of causes. It comes from the enactment of attendance law, whereby we require, in this State, compulsory education for every boy and girl up to the age of sixteen years, and part-time instruction beyond that, up to the age of eighteen years. We provide night school and part-time instruction. To relieve the congestion at the University of California and our other universities, we provide a system of junior colleges. We provide free text books. We have extended our system of education so that there is an additional burden placed upon the State taxpayers.

#### THE HIGH COST OF HEALTH.

Let us next take the subject of public health: In the first year of Governor Johnson's administration the appropriations for public health were \$57,000. In the first year of Governor Richardson's administration they were \$471,000. In those intervening years the increased population brought about certain demands. I, myself, in my first session as Chairman of the Committee of Public Health, introduced and put through the Legislature, at the request of the State Board of Health, a bill providing for the sanitary engineering department to have supervision over the fresh water streams of the State. In the pioneer days, when there were few settlers, legislation of that kind was unnecessary; but, as our population increases, as cities are built upon the banks of our streams, as factories are erected, waste and sewage are turned into the waterways and streams and then flow down to the mouths of our rivers. Thus our water courses are polluted and typhoid fever is spread over the State. It becomes necessary for the State, in order to protect the public health of its citizens, to enact sanitary legislation.

At that same session, likewise at the request of the State Board of Health, I put through legislation abolishing the common drinking cup and the common towel in railway stations and places of public resort. Those are simply samples of the progress of the social viewpoint, the insistence by the public that the health of society should be protected and preserved.

#### PURE FOOD LAWS EXPENSIVE.

We enact pure food laws, legislation for inspection of meat and fruit markets, establish pure milk standards and other measures of that kind, which require inspection by State representatives; we enact legislation for the inspection of eating houses made necessary by the increase of auto travel. The enactment of laws for meeting the tuberculosis problem is made imperative by the numbers of people coming out from the eastern states to the splendid climate of California, and that immigration becomes an increasing menace to the health of the citizens of the State. And so the State has stepped in and subsidized cities and counties in the care of tubercular



patients, by providing that all county hospitals that have a certain standard of housing, ventilation, diet and nursing shall receive a certain aid or subsidy from the State. Now, all of these new duties account for the increase in expenditures of the State Board of Health.

#### DEPARTMENT OF AGRICULTURE PROTECTS STATE INDUSTRIES.

We will take the Department of Agriculture: Before consolidation was effected, the appropriation in Governor Johnson's first term was \$65,000. The first year of Governor Richardson's administration it was \$891,000. The farming interests of the State are making ever increasing demands upon the Legislature and the State. We require the protection of California live stock from Texas fever and infection from Mexican cattle. We have in this State the great fruit industry. It could be wiped out, in a moment, if the Mediterranean fruit fly came through our port here in San Francisco. So we have quarantine service at the port in San Francisco and at other places along the coast. We protect ourselves by a quarantine against the alfalfa weevil from Nevada, and the potato pest from Idaho and Wyoming. We quarantine against nursery stock, bulbs from foreign countries, from pests of any kind that might affect the horticultural or viticultural industry of California. We provide standardization laws for fruit—a standard pack for melons, grapes and apples, passed at the request of the marketing interests of the State. These come as the result of the insistence of the agriculturists in California.

I could go on to cite similar instances in other departments. We will take, for example, the increased functions of our State hospitals. I can recall visiting a State hospital for the insane in another state. It was a great four-story building, with iron bars at the windows. As a person went by, the unfortunate inmates screamed and screeched at him. Go to the institution in Santa Clara county now, the Agnews State Hospital. We have 1800 inmates there and not one is under physical restraint. We have an expensive institution on the cottage plan. It is a good deal like an old people's home there. They have an auditorium with hardwood floors, where they can have dances among the attendants and the inmates. They have their baseball teams, their band and their theater. It is an institution with a splendid group of buildings. I heard of some eastern visitors who were coming up the coast from the southern part of the State, who came to San Jose, and then, mistaking the direction up the peninsula to San Francisco, came up on the east side of the bay, and when they got opposite the grounds of the hospital, one of the members of the party, commenting on the beauty of the buildings, said: "Well, then, this is Stanford University that we have heard so much about." (Laughter.)

#### STATE SUCCEEDS IN CURING INSANE.

Now, that institution is expensive to conduct. The increase in appropriations outruns the number of inmates. But let me tell you this, gentlemen, they are turning out from that hospital the highest percentage of permanent cures of any institution in the United States. They do not regard insanity now as something that is inherited. They regard it as simply a disease that can be handled and treated and cured. And they are endeavoring now, in a constructive way, to prevent insanity, to prevent those cases ever coming to the State hospital. That is some of the constructive work that is being done in their laboratories, and by reason of the increased State appropriations.

#### SPENT \$28,000—SAVED \$1,169,000.

We will take, as a further instance, the Railroad Commission: At the budget hearings in 1923 we had the Railroad Commission representatives before us, and we found that, whereas, under the first year of Governor Johnson's administration the expenditure for the Railroad Commission was \$46,000, under Governor Richardson's first year it was \$524,000. We found this situation: That an enormous saving was made to the rate payers of the State when the Railroad Commission had adequate funds.

Let us take one or two illustrations: There were eight street car lines and other transportation companies which were applying for rates computed on the valuation of their properties. They put in valuations of their own, which were reduced by the Railroad Commission. The reduction was some \$14,000,000 in the valuations, and that, computed at 8 per cent, made a saving of \$1,169,000 a year to the rate payers of the State. To investigate the valuations of these eight companies required an expenditure by the commission of \$28,000.

We had another illustration presented at that hearing, involving ten light and power companies on which a reduction in valuations of about \$8,000,000 was made. The saving to the rate payers on an 8 per cent basis was \$696,000 a year. And the valuation cost only \$8,000.

I could go through a long list of those valuations and the savings to the rate payers. That year there was paid, by the rate payers of the State, \$420,000,000. A saving of one per cent would mean more than \$4,000,000. So that you can see why the Legislature was justified in giving adequate appropriations for the support of that department.

Now let us consider the increased expenditures in the Corporation Commissioner's office: In 1915, when this was established, which was the first year of Governor

Johnson's second term, there was spent, in that department, \$11,000. In the first year of Governor Richardson's term, \$190,000. Yet I think the majority of business men would not, for a moment, consent to the elimination of the work and the safeguarding of investors which is performed by the Corporation Commissioner.

MOTOR VEHICLE DEPARTMENT COSTS NEARLY A MILLION DOLLARS.

Finally, I might mention the Motor Vehicle Department. In Governor Johnson's first year the total expenditure for that department was \$11,000. In the first year of Governor Richardson's administration it was \$895,000. Now, that is the department that supervises your every act while traveling on the highway. You can not turn a corner in your automobile or hold your hand up or down or out sideways without touching the functions of that department. You must have your lights at a certain height and pitched at a certain distance in front of your machine. You can not park your machine on one side of the road in a certain way without being in violation of the motor vehicle laws of the State. And yet, with all the expense it requires, there is not a citizen who would, for a moment, contemplate the elimination of that department. If it were eliminated, there would be chaos; order would be entirely impossible if it were not for the regulation of our traffic officers.

I mention these instances, which I have taken more or less at random, to illustrate the fact that the laws enacted by the Legislature and the appropriations made are to safeguard, to protect and to advance the welfare of the citizenship of the State. These appropriations come, not as a matter of the whim of the Legislature, but as the result of the pressure of public opinion. The Legislature, after all, is a cross-section of the people of the State. I know of no way whereby you could select one hundred twenty people who as nearly represent the sentiment of the State and who can come as near being experts in guessing what the people of the State want as the members of the Legislature. The Legislature has its weaknesses, but the weaknesses of the Legislature are the weaknesses of democracy itself.

LEGISLATURE DOES WHAT PEOPLE DEMAND.

The Legislature does what the people demand. To bring this out I might illustrate just from cartoons that I have here. Here is a cartoon taken from a great metropolitan daily, ridiculing the tremendous increase of taxes. It represents the great burden upon the back of the business man. And yet, in the same issue of that paper, is an article commending, in the highest terms, the enactment, by Congress, of the soldier bonus legislation. I have here in my hand the recommendations of another metropolitan paper in regard to the measures on the ballot at the last election of November 2d, a paper that, philosophically and apart from specific measures, at a specific election, insists always upon reduction of expenditures and reduction of taxes, and yet in this issue it consistently recommends each of six municipal bond issues and also recommends the State bond issues, the judges' pension and the increase of salaries of State officials on the State ballot.

AS WE VOTE SO WE PAY.

Now, that illustrates the difficulty. Fundamentally or abstractly, we are in favor of reducing State expenditures, but the farmers want their appropriations granted, the educators want their appropriations granted, the militia want their appropriations, those interested in public health want their appropriations, and so each specific group, demands and insists upon the passage of the appropriations for its own activities. They are not particularly concerned about the others, but they want to attain their own object. And so there arises the pressure of public opinion which insists upon the enactment of these appropriation measures and which accounts for the number of appropriations granted. It is the working out of the social viewpoint.

I think those instances show that there is something fundamental which accounts for this ever increasing load of taxation and State expenditure. It is simply the old proposition that you can not have your cake and eat it, too. We can not have our system of State highways, we can not have our system of schools, unless we are prepared to pay the bill; and the voters, apparently, when it is put up to them on bond issues for public improvement, for ratifying the acts of the Legislature and confirming what the Legislature has done in the enactment of these measures, nearly always vote "Yes."

In conclusion, I simply want to reiterate what your president has said with reference to the carrying out of the budget. I might say that two-fold congratulations are in order, congratulations to the Governor-elect for receiving the most handsome vote that any public official was ever accorded in the State of California. On the other hand, the people of the State of California are complimented and honored in the selection of a man who will bring to that office an amount of knowledge and experience unexcelled by any other man in the employ of the entire State, a man of the highest industry, sincerity of purpose, and devotion to duty. He will bring to bear a sincere desire to present to you a true picture of the receipts and disbursements of the State, a budget that does not eliminate certain expenditures, but that gives to the taxpayers of the State a complete statement of all the financial transactions of the State. And so I say, in concluding, the State of California is to be congratulated in having this budget administered by a man who brings to it this industry and this integrity and this good faith in carrying out the budget amendment which was originally sponsored by your club. (Applause.)

## RESOLUTIONS.

The following resolutions were offered:  
By Committee on Contingent Expenses:

*Resolved*, That the Secretary of the Senate be and he is hereby authorized to purchase for the use of the members of the Senate forty-three (43) sets of the 1923 Edition of Deering's Codes and General Laws of the State of California, including 1925 Supplement, complete in seven (7) volumes; also forty-three (43) copies of Treadwell's Annotated Constitution of the State of California, 5th Edition, 1923, with all amendments to date, also forty-one (41) copies of Robert's Rules of Order; all of said sets and volumes to be paid for out of the Contingent Fund of the Senate.

*Also*, That the Secretary of the Senate be and he is hereby authorized and directed to deliver one of said sets of codes and constitution together with one (1) volume of said rules to each Senator, one to the President of the Senate and one to the Judiciary Committee.

JAMES M. ALLEN.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Weller, West, and Young—34.

NOES—None.

By Senator Crowley:

*Resolved*, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is hereby directed to pay the same.

John E. Reynolds, Assistant Sergeant-at-Arms-----\$5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Weller, West, and Young—34.

NOES—None.

*Also*:

*Resolved*, That Neva M. Gregg be transferred from the position of Stenographer at \$5.00 per day to the position of Clerk of the Judiciary Committee at \$6.00 per day.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.



## APPOINTMENT BY THE PRESIDENT OF THE SENATE.

The following communication was received and read :

I beg leave to inform you that I have appointed

Neal Fellom, Page----- \$2 50 per day

and respectfully request the consent of the Senate thereto.

BURON FITTS, President of the Senate.

Senator Crowley moved the appointment be confirmed by the Senate.

The question being upon the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote :

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Nelson, Pedrotti, Sharkey, Taylor, Tubbs, Waggy, West, and Young—30.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills, etc., were introduced :

By Senator Fellom: Senate Bill No. 43—An act to amend section 18 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by providing for penalties for violation of the said act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 41—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the license fees to be paid by licensed employment agencies and surety bonds required of them.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 42—An act to amend section 11 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe

rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the matters to be stated in contracts and receipts issued by such employment agencies, providing for standard and uniform forms of contracts and receipts to be prepared by the Commissioner of Labor and providing that an employer must so state on the reverse side of an employment contract or receipt if the applicant was not employed or if he was discharged in less than seven days, as the case may be.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 44—An act to amend sections 1, 2, 3, and 4 of an act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in applications therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the Commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 45—An act to amend section twelve of an act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioners of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, as amended, so as to prohibit the acceptance of more than one deposit as a fee for the same position.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Mueller: Senate Bill No. 46—An act to increase the number of Judges of the Superior Court of the State of California, in and for the county of San Diego; to provide for the appointment of additional judges and for their compensation.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Breed: Senate Bill No. 47—An act authorizing the State Board of Control to grant to or consent to the condemnation by the city of Oakland of a right of way for a public street and highway over and across the lands of the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Mueller: Senate Bill No. 48—An act reserving certain lands situated in Mission Bay, in the county of San Diego, to be used as a State park, providing for the management of the same by a commission; prescribing the duties and powers of such commission.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Gray: Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the waterfront of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 50—An act to amend Section 2527 of the Political Code, relating to the powers of the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 51—An act concerning the water front of the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Hurley: Senate Bill No. 52—An act to amend Section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 53—An act to amend Section 630 of the Political Code, forbidding persons, corporations and others from transacting insurance business in this State unless licensed by the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 54—An act to amend Section 596b of the Political Code, relating to the right of the Insurance Commissioner to suspend certificate of authority of any company engaged in the insurance business in this State.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 55—An act to amend section 605 of the Political Code, by adding subdivision (16) so as to provide for the charging of a fee for the services rendered by the Insurance Commissioner in determining the value of future or contingent estates, or any



interest therein, as provided for in subdivision six (6) of section eight (8) of the "Inheritance Tax Act" of 1921, approved June 3, 1921.

Bill read first time, and referred to Committee on Insurance.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIVE.

Senator Breed asked unanimous consent for the consideration of Senate Concurrent Resolution No. 5, without reference to committee.

Unanimous consent granted.

Senate Concurrent Resolution No. 5—Approving amendments and additions to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-first day of December, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 5 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 5 ordered to print, engrossment, and to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That John L. Talt be and he is hereby transferred from the position of Assistant Sergeant-at-Arms at \$5.00 per day to the position of Clerk of the Finance Committee at \$6.00 per day, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SIX.

Senator Weller asked unanimous consent for the consideration of Senate Concurrent Resolution No. 6, without reference to committee.

Unanimous consent granted.

By Senator Weller: Senate Concurrent Resolution No. 6—Approving five amendments to charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the second day of November, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 6 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagye, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 6 ordered to print, engrossment, and to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 11, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 29—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

COBB.  
TAYLOR.  
BAKER.  
ALLEN, N. M.  
GRAY.  
CROWLEY.  
LYON.  
ALLEN, J. M.  
TUBBS.

Senate Bill No. 29 ordered on second reading file.

##### CONSIDERATION OF DAILY FILE.

##### SECOND READING OF SENATE BILLS.

Senate Bill No. 37—An act making an appropriation to meet the deficiency in the appropriation for the mileage of State Senators for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

##### ADJOURNMENT.

At eleven o'clock and forty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

##### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, January 12, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—37.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 11, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Swing was, on motion of Senator Gray, granted leave of absence for this day.

Senator Taylor was, on motion of Senator Canepa, granted leave of absence for this day.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to R. N. Blackburn of Coachella, Tom Yager of Indio, and T. Mahneke, secretary of Palo Verde Valley Chamber of Commerce.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George W. Elder of San Francisco and Col. J. Daggett of San Francisco, representing the International Pressmen's Union.

On request of Senator Ray Jones, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. James K. O'Brien of Smartsville, Yuba County.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge G. M. Spurrier of Stockton, California.

## CONSIDERATION OF SENATE BILL NUMBER FIFTY-SIX.

Senator Inman asked for and was granted unanimous consent to take up for consideration Senate Bill No. 56, without reference to committee.

## CASE OF URGENCY.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Senate Bill No. 56 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.



The roll was called, and the resolution adopted by the following vote :

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—35.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 56.

#### SECOND READING OF SENATE BILL NUMBER FIFTY-SIX.

Senate Bill No. 56—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read second time, considered engrossed, and ordered on file for third reading.

#### URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public peace and safety, within the meaning of section 1 of article IV of the constitution of the State of California, and as such it shall take effect immediately.

The following is a statement of the facts constituting such necessity :

Pursuant to that certain convention known as the "Migratory Bird Treaty," made and entered into between the United States of America and certain foreign powers, and under the authority of that certain act of Congress known as the "Migratory Bird Treaty Act," the period of the open season for the hunting of wild ducks and certain other water fowl was advanced two weeks, the limits now being October fifteenth and February first instead of October first to January fifteenth as formerly. This change has been made by regulation duly issued by the Secretary of Agriculture and promulgated by the President of the United States.

It is the known and established policy of the State of California that the laws of this State in relation to the protection of such water fowl shall conform precisely to the corresponding regulations of the United States, and until the recent adoption of the regulations hereinabove referred to, said laws did so conform.

In reliance upon said known and established policy, and in the sincere and innocent belief that said federal regulations, by virtue of the treaty and the federal statutes, prevail over State law, many thousands of persons resident in this State, unless this act becomes immediately effective, would engage during the last two weeks of January, 1927, in the hunting of such water fowl, contrary to the mandate of the laws of the State. These illegal practices would occur owing to the confusion produced by the discrepancy between federal regulation and State law.

All such persons would be subject to arrest and fine or incarceration, it being the solemn duty of the peace officers of this State faithfully and rigidly to enforce the mandate of the existing State law irrespective of the fact that the federal regulations permit such hunting. In consequence thereof it is believed that there will be numerous arrests, attended by resistance to officers of the law, and other breaches of the peace, together with an unusual and burdensome congestion in the business of the courts, involving the imposition of sentences of fine and imprisonment, all against the dignity of the courts and of the State, and to the impairment of the public peace and safety.

In order to prevent all this, it is necessary that the law of this State be made to conform to treaty and the federal law and regulations by an act passed by this Legislature to take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote :

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—34.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 56 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—34.

NOES—None.

Title read and approved.

Senate Bill No. 56 ordered transmitted to the Assembly.

#### RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of \$200 for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—32.

NOES—None.

Also:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of J. A. Beek, Secretary of the Senate, in the sum of \$70.75, payable out of the contingent fund of the Senate, to pay the items listed below, and the Treasurer is hereby directed to pay the same.

Expenses incident to the funeral of the late Senator Creighton:

California Flower Shop, flowers	\$20 00
Traveling expenses, Senator Dennett	14 55
Traveling expenses, Senator Harris	12 20

One-half of the expenses for inaugural ceremonies, January 4, 1927, pursuant to the provisions of Senate Concurrent Resolution No. 1:

Noack's orchestra	\$24 00
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Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—31.

NOES—None.

#### COMMUNICATIONS.

The following communications were received, and on motion of Senator Breed ordered printed in the Journal:

OFFICE OF  
SURVEYOR GENERAL AND REGISTER STATE LAND OFFICE  
STATE OF CALIFORNIA

SACRAMENTO, January 11, 1927.

*To the Legislature of the State of California.*

I herewith transmit the Biennial Report of the Surveyor General, for the term ending August 1, 1926, containing, on pages nine and ten, reports made pursuant to the provisions of chapter 800, Statutes of California, 1917, in relation to land titles.

Yours respectfully,

W. S. KINGSBURY,  
Surveyor General and ex Officio  
Register of the State Land Office.

LAND TITLE LAW.

October 15, 1925.

Pursuant to the provisions of chapter 800, Statutes of California, 1917, I beg to report that, according to reports received, certificates of title have been issued pursuant to the registration of land titles under "The Torrens Law" in eighteen of the fifty-eight counties, as follows:

Alameda County—94 certificates issued up to August 1, 1925.  
Fresno County—4 certificates issued up to August 1, 1925.  
Humboldt County—132 certificates issued up to August 1, 1924. No report was received from the registrar of titles in Humboldt County for the year 1924-1925.  
Imperial County—268 certificates issued up to August 1, 1925.  
Inyo County—5 certificates issued up to August 1, 1925.  
Kern County—48 certificates issued up to August 1, 1925.  
Los Angeles County—34,139 certificates issued up to August 1, 1925.  
Orange County—3897 certificates issued up to August 1, 1925.  
Riverside County—148 certificates issued up to August 1, 1925.  
San Bernardino County—1350 certificates issued up to August 1, 1925.  
San Diego County—2500 certificates issued up to August 1, 1925.  
San Francisco County—9 certificates issued up to August 1, 1925.  
San Luis Obispo County—1 certificate issued up to August 1, 1925.  
Santa Barbara County—243 certificates issued up to August 1, 1925.  
Santa Cruz County—10 certificates issued up to August 1, 1925.  
Sonoma County—244 certificates issued up to August 1, 1925.  
Tulare County—47 certificates issued up to August 1, 1925.  
Ventura County—1 certificate issued up to August 1, 1923. No report was received from the registrar of titles in Ventura County for the years 1923-1924, 1924-1925.

The Torrens Act provides that upon the original registration of any land, a sum equal to one-tenth of one per cent of the assessed value of the land including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens Title Assurance Fund." The books of the State Treasurer show that on August 1, 1925, the "Torrens Title Assurance Fund" contained State of California Harbor Improvement 4 per cent bonds having a face value of \$25,000, which were purchased for the benefit of said fund, and that the amount of cash in said fund on August 1, 1925, was \$791.96.

LAND TITLE LAW.

October 1, 1926.

Pursuant to the provisions of chapter 800, Statutes of California, 1917, I beg to report that, according to reports received, certificates of title have been issued pursuant to the registration of land titles under "The Torrens Law" in eighteen of the fifty-eight counties, as follows:

Alameda County—103 certificates issued up to August 1, 1926.  
Fresno County—6 certificates issued up to August 1, 1926.  
Humboldt County—198 certificates issued up to August 1, 1926.  
Imperial County—297 certificates issued up to August 1, 1926.  
Inyo County—5 certificates issued up to August 1, 1925. No report was received from the registrar of titles in Inyo County for the year 1925-1926.  
Kern County—55 certificates issued up to August 1, 1926.  
Los Angeles County—39,458 certificates issued up to August 1, 1926.  
Orange County—4271 certificates issued up to August 1, 1926.  
Riverside County—152 certificates issued up to August 1, 1926.  
San Bernardino County—1619 certificates issued up to August 1, 1926.  
San Diego County—2869 certificates issued up to August 1, 1926.  
San Francisco County—9 certificates issued up to August 1, 1926.  
San Luis Obispo County—1 certificate issued up to August 1, 1926.  
Santa Barbara County—303 certificates issued up to August 1, 1926.



Santa Cruz County—10 certificates issued up to August 1, 1926.

Sonoma County—268 certificates issued up to August 1, 1926.

Tulare County—51 certificates issued up to August 1, 1926.

Ventura County—1 certificate issued up to August 1, 1926.

The Torrens Act provides that upon the original registration of any land, a sum equal to one-tenth of one per cent of the assessed value of the land including permanent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens Title Assurance Fund." The books of the State Treasurer show that on August 1, 1926, the "Torrens Title Assurance Fund" contained State of California Harbor Improvement 4 per cent bonds having a face value of \$25,000, which were purchased for the benefit of said fund, for the sum of \$24,250.19, and that the amount of cash in said fund on August 1, 1926, was \$1,982.74.

Respectfully submitted,

W. S. KINGSBURY, Surveyor General.

THE WOMAN'S COUNCIL OF SACRAMENTO,  
SACRAMENTO, January 10, 1927.

*To the Members of the State Legislature, Sacramento, California.*

GENTLEMEN: On Sunday, January 16th, from 2 to 4 p.m., there will be a reception held in honor of Governor C. C. Young and his staff in the State Capitol. This function will commemorate the seventy-fifth anniversary of the first meeting of the Legislature in this city, and is given by the city of Sacramento and the Woman's Council.

Your honorable body is most cordially invited to attend.

Very respectfully,

MAUDE H. BLANK,  
President Woman's Council.

LEONE S. GILLET, Corresponding Secretary.

#### APPOINTMENT OF STANDING COMMITTEES.

The President announced that he had appointed the Senate standing committees, as follows:

I beg to inform you that I have appointed the following standing committees, under the rules of the Senate:

*Agriculture and Live Stock*—Boggs (Chairman), Hollister, Taylor, Handy, Baker, Cobb, Jones, Ray; Slater, Nelson, Allen, J. M., Rush, Waggy, Kline, Young, Inman.

*Banking*—Handy (Chairman), Murphy, Evans, Jones, H. C., Hollister, Baker, Canepa, Nelson, Mueller.

*Building and Loan Associations*—Johnson (Chairman), Jones, H. C., Taylor, Slater, Young.

*Civil Service*—Maloney (Chairman), Canepa, Waggy, Garrison, Pedrotti.

*Commerce and Navigation*—Taylor (Chairman), Canepa, Nelson, Mueller, Chamberlin, Evans, Gray, Hurley, Inman.

*Conservation*—Evans (Chairman), Weller, Young, Hollister, Ingram, Garrison, Kline.

*Constitutional Amendments*—Allen, N. M. (Chairman), Weller, Swing, Jones, H. C., Christian, Sharkey, Ingram, Murphy, McKinley.

*Contingent Expenses*—Allen, J. M. (Chairman), Murphy, Maloney.

*Corporations*—McKinley (Chairman), Baker, Fellom, West, Jones, Ray; Rush, Allen, N. M., Taylor, Tubbs.

*County Government*—Christian (Chairman), Slater, Sharkey, Baker, Inman, Waggy, Handy, Fellom, Allen, J. M., Hollister, West.

*Drainage, Swamp and Overflowed Lands*—Rush (Chairman), Boggs, Maloney, Ingram, Jones, Ray; Inman, Garrison, Cobb, Gray.

*Education*—Slater (Chairman), Allen, N. M., Baker, Sharkey, Johnson, Murphy, Christian, Evans, Ingram, Tubbs, Handy, Pedrotti, Hollister, Hurley, Jones, H. C.

*Elections*—Fellom (Chairman), Boggs, Ingram, Johnson, Slater, Sharkey, Crowley, McKinley, Rush, Christian, Evans.

*Engrossment, Enrollment and Printing*—Jones, Ray (Chairman), Cobb, Garrison, Allen, J. M., Taylor.

*Federal Relations*—Young (Chairman), Swing, Fellom, McKinley, Murphy.

*Finance*—Inman (Chairman), Breed, Kline, Taylor, Handy, Lyon, Boggs, Canepa, Sharkey, Rush, Allen, N. M., Jones, H. C., Ingram, Johnson, Slater, Nelson, Chamberlin, West.

*Fish and Game*—Chamberlin (Chairman), Handy, Swing, Mueller, Young, Slater, Hurley, Taylor, Breed, Canepa, Christian, Lyon, Garrison, Sharkey, Ingram.

*Governmental Efficiency*—Swing (Chairman), Breed, Johnson, Ingram, Tubbs, Christian, McKinley, Maloney, Weller, Fellom, Allen, N. M., Jones, H. C., Cobb.  
*Hospitals and Asylums*—Gray (Chairman), Inman, Maloney, Pedrotti, Allen, N. M., Slater, Young, Crowley, Rush.  
*Insurance*—Hollister (Chairman), West, Inman, Gray, Boggs, Mueller, Hurley, McKinley, Evans, Nelson, Young.  
*Irrigation*—Garrison (Chairman), Allen, J. M., Wagy, Cobb, Jones, Ray; Evans, Rush.  
*Judiciary*—Jones, H. C. (Chairman), Allen, J. M., Inman, McKinley, Weller, Swing, Chamberlin, Johnson, Mueller, West, Christian, Lyon, Nelson, Baker.  
*Labor and Capital*—Murphy (Chairman), Maloney, Wagy, Weller, Kline, Chamberlin, Inman, Evans, Crowley, Taylor, Mueller.  
*Manufactures*—Tubbs (Chairman), Maloney, Murphy, Pedrotti, Hurley.  
*Military Affairs*—Mueller (Chairman), McKinley, Garrison, Weller, Tubbs.  
*Mines and Mining*—Ingram (Chairman), Allen, J. M., Jones, Ray; Christian, Garrison.  
*Motor Vehicles*—Kline (Chairman), Wagy, Breed, Hurley, Swing, Jones, Ray; Lyon, Canepa, West, Pedrotti, Gray, Maloney, Handy, Tubbs, Weller.  
*Municipal Corporations*—Lyon (Chairman), Fellom, Baker, Tubbs, Christian, Allen, J. M., Cobb, Crowley, Allen, N. M., Gray, Sharkey.  
*Oil Industries*—Canepa (Chairman), Wagy, Hurley, Sharkey, Crowley, Lyon, Johnson, Evans, Pedrotti.  
*Prisons and Reformatories*—Pedrotti (Chairman), Kline, Allen, N. M., Lyon, Maloney, Mueller, Young, Crowley, Tubbs.  
*Public Charities and Corrections*—Hurley (Chairman), Hollister, Canepa, Maloney, Slater, Allen, J. M., Rush.  
*Public Health and Quarantine*—Crowley (Chairman), Young, Pedrotti, Boggs, Murphy, Canepa, Christian, Chamberlin, Gray, Allen, N. M., Jones, Ray.  
*Public Morals*—Cobb (Chairman), Gray, Garrison, Boggs, Johnson, Lyon, Mueller.  
*Public Utilities*—Wagy (Chairman), Murphy, Hurley, Weller, Cobb, Garrison, Inman, Taylor, Boggs, Nelson, West.  
*Reapportionment*—Weller (Chairman), Swing, Kline, Breed, Chamberlin, Evans, Christian, Handy, Boggs, Mueller, Cobb, Hollister, Murphy, Tubbs, Young.  
*Revenue and Taxation*—Nelson (Chairman), Chamberlin, Young, West, Lyon, Gray, Johnson, Fellom, Jones, H. C., Breed, Swing, Hollister, Mueller.  
*Revision of Criminal Law and Procedure*—Baker (Chairman), Chamberlin, McKinley, Murphy, Nelson, Weller, Kline, Jones, H. C., Johnson.  
*Roads and Highways*—Sharkey (Chairman), Jones, Ray; Crowley, Handy, McKinley, Baker, Allen, J. M., Fellom, Boggs, Wagy, Hurley, Breed, Taylor, Ingram, Swing.  
*Rules*—Breed (Chairman), Fellom, Nelson, Rush, Crowley.  
*Universities and Teachers Colleges*—West (Chairman), McKinley, Breed, Lyon, Pedrotti, Cobb, Hollister, Jones, Ray; Kline.

## MOTION.

Senator Breed moved that amendments to the standing rules of the Senate, as printed in the Journal of January 10, be adopted.

## AMENDMENT NUMBER ONE.

Wherever the words "Engrossment and Enrollment" appear in said rules as the designation of a Senate committee, amend the same to read "Engrossment, Enrollment and Printing."

## AMENDMENT NUMBER TWO.

Wherever the words "Revision and Printing" occur in said rules as the name of a committee, amend the same to read "Engrossment, Enrollment and Printing."

## AMENDMENT NUMBER THREE.

In Rule 8, following the words "Governmental Efficiency," strike out the word "nine" and insert in lieu thereof the word "thirteen."

## AMENDMENT NUMBER FOUR.

Following Rule No. 72, insert the following:

*Call of the Senate.*

73. Upon a motion being carried for a call of the Senate the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Senate except by written permission of the President or President pro tempore, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that

purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the Senate.

*Parliamentary Rules.*

74. In all cases not provided for by these rules, or by the Joint Rules of Senate and Assembly, the authority shall be Robert's Rules of Order.

*Suspension or Change of Rules.*

75. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except the portion of Rule 13, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

AMENDMENT NUMBER FIVE.

Amend Rule No. 8, so as to provide that the Committee on Governmental Efficiency shall consist of thirteen members, the Committee on Motor Vehicles fifteen members, and the Committee on Roads and Highways fifteen members.

The question being upon the adoption of the amendments.

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—35.

NOES—None.

STANDING RULES OF THE SENATE AS AMENDED JANUARY 12, 1927.

*Convention and Order of Business. Hour of Meeting.*

1. The sessions of the Senate shall be daily (Sundays excepted) beginning at eleven o'clock a.m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of one o'clock p.m. until the hour of two o'clock p.m., unless otherwise ordered by a vote of the Senate.

*Calling to Order.*

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

*Order of Business.*

3. The order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading and Reference of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

*Presiding Officer of the Senate—The President.*

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

*The President Pro Tempore.*

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

*Presiding by Senators.*

6. The President or President pro tempore, in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be



vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

*Committees of the Senate—Appointment of Committees.*

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

*List of Standing Committees.*

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, fifteen members.
2. Banking, nine members.
3. Building and Loan Associations, five members.
4. Civil Service, five members.
5. Commerce and Navigation, nine members.
6. Conservation, seven members.
7. Constitutional Amendments, nine members.
8. Contingent Expenses, three members.
9. Corporations, nine members.
10. County Government, eleven members.
11. Drainage, Swamp and Overflowed Lands, nine members.
12. Education, fifteen members.
13. Elections, eleven members.
14. Engrossment, Enrollment and Printing, five members.
15. Federal Relations, five members.
16. Finance, eighteen members.
17. Fish and Game, fifteen members.
18. Governmental Efficiency, thirteen members.
19. Hospitals and Asylums, nine members.
20. Insurance, eleven members.
21. Irrigation, seven members.
22. Judiciary, fourteen members.
23. Labor and Capital, eleven members.
24. Manufactures, five members.
25. Military Affairs, five members.
26. Mines and Mining, five members.
27. Motor Vehicles, fifteen members.
28. Municipal Corporations, eleven members.
29. Oil Industries, nine members.
30. Prisons and Reformatories, nine members.
31. Public Charities and Corrections, seven members.
32. Public Health and Quarantine, eleven members.
33. Public Morals, seven members.
34. Public Utilities, eleven members.
35. Reapportionment, fifteen members.
36. Revenue and Taxation, thirteen members.
37. Revision of Criminal Law and Procedure, nine members.
38. Roads and Highways, fifteen members.
39. Rules, five members.
40. Universities and Teachers Colleges, nine members.

*Schedules for Committee Meetings.*

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

*Quorum of Standing Committees.*

10. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

*No Committee Expenditures Permitted.*

11. No member of any committee shall, except by resolution of the Senate, be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the constitutional recess, be permitted to visit State institutions for which appropriations are asked, and shall be allowed his actual expenses while on such business.

*Special Duties of Certain Committees—Committee on Engrossment, Enrollment and Printing.*

12. All Senate bills, constitutional amendments, and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The indications of new matter, omissions, or amendments appearing upon the printed

bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment, Enrollment and Printing; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate. It shall be in order for the Committee on Engrossment, Enrollment and Printing to report at any time.

*Engrossing and Enrolling Bills.*

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment, Enrollment and Printing or to the clerk of that committee, and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment, Enrollment and Printing or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

*Committee on Rules.*

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

*Committee on Contingent Expenses.*

15. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.

*Committee on Engrossment, Enrollment and Printing.*

16. The Committee on Engrossment, Enrollment, and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

*Other Senate Officers—Secretary of the Senate.*

17. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

*Custody of Bills and Papers.*

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment, Enrollment and Printing, and take receipts therefor.

*Sergeant-at-Arms of the Senate.*

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

*Distribution of Printed Matter.*

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

*Preparation and Introduction of Bills—Introduction and First Reading.*

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

*Joint and Concurrent Resolutions and Constitutional Amendments.*

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur after they have been reported by committee.

*Introduction of Bills by a Committee.*

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

*Introduction of Bills after the Constitutional Recess.*

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, nor shall the number to be introduced by any one member be limited.

*Bills in Committees—Reference of Senate Bills.*

25. At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

*Order of Reference.*

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

*Reference with Special Instructions.*

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend.

*Reference of Assembly Bills.*

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President, to a standing committee; *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment, Enrollment and Printing for comparison, which committee shall report without delay whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

*Reference of Appropriation Bills.*

29. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for adjournment sine die shall in all cases whether originating in the Senate or coming from the Assembly be referred to the Committee on Finance.



*Notice to Author of Bill.*

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

*Committee Amendments to Bills.*

31. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

*Reports of Committees.*

32. All committees shall act upon bills referred to them as soon as practicable and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

*Order of Considering Bills—Order of Making File.*

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.

*The General File.*

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

*Special Order.*

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

*Three Readings of Bills.*

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision).

*Ordering Bills to Third Reading.*

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be, "Shall the bill be ordered to third reading?"

*Bills Considered During Last Seven Days.*

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment sine die of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll call.

*Questions and Motions—Precedence of Motions During Debate.*

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

*Provided, however*, that during a call of the Senate, it may consider and transact any matter of business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of

the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

*Amendment or Division of Question.*

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

*Restrictions as to Amendments.*

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

*Vote Required for Amendments.*

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

*Procedure of Debate—Seconding and Announcement of Motion.*

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary before the same shall be debated.

*Regulations as to Speaking.*

44. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

*Securing of the Floor.*

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

*Order in Debate.*

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

*The Previous Question.*

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

*Executive Session.*

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

*Voting by Senate—Calling Ayes and Noes.*

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes

and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

*Excused From Voting.*

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

*Reconsideration of Vote.*

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill concurrent or joint resolution, has been passed or defeated, fourteen votes to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

*When Bill Is Held for Reconsideration.*

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

*When a Bill Is Recalled for Reconsideration.*

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

*Debate on Motion to Reconsider.*

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

*Messengers and Other Papers—Messengers from the Governor.*

55. Messengers from the Governor may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

*Messengers from the Assembly.*

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

*Consideration of Assembly Messages.*

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

*Reading of Papers.*

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

*Contents of Senate Journal—Proceedings to Be Printed.*

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

*Titles of Bills to Be Printed.*

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.



*Statement of Petitions to Be Printed.*

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

*Other Matter to Be Printed.*

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.

*Legislative Printing—Number of Bills Printed.*

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

*Number of Journals Printed.*

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

*Number of Other Documents Printed.*

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

*Excess Printing Only on Written Order.*

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

*Form of Printing Amendments.*

67. All bills amended shall immediately be reprinted; the new matter added by any amendments to be enclosed in heavy brackets, and the omission of any matter to be indicated by the insertion of heavy parentheses.

*The Senate Chamber—Admission Within Bar of Senate.*

68. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

*No Lobbying in Senate Chamber.*

69. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

*Maintaining of Order.*

70. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

*Smoking Within Senate Chamber.*

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

*Miscellaneous Provisions—Duties of Members.*

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the contingent

fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

#### *Call of the Senate.*

73. Upon a motion being carried for a call of the Senate the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Senate except by written permission of the President or President pro tempore, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the Senate.

#### *Parliamentary Rules.*

74. In all cases not provided for by these rules, or by the Joint Rules of Senate and Assembly, the authority shall be Robert's Rules of Order.

#### *Suspension or Change of Rules.*

75. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 13, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

### PROPOSED SCHEDULE OF SENATE COMMITTEE MEETINGS.

The following proposed schedule of Senate committee meetings was submitted by the President, and ordered printed in the Journal:

*Monday morning*—Military Affairs, Civil Service, Building and Loan Associations, Public Morals, Mines and Mining.

*Monday afternoon*—Motor Vehicles, Corporations, Conservation.

*Monday evening*—Judiciary; Agriculture and Live Stock; Prisons and Reformatories.

*Tuesday morning*—Finance, Reapportionment, Manufactures.

*Tuesday afternoon*—Fish and Game; Banking; Universities and Teachers Colleges; Drainage, Swamp and Overflowed Lands.

*Tuesday evening*—Roads and Highways, Revision of Criminal Law and Procedure, Irrigation.

*Wednesday morning*—Hospitals, Commerce and Navigation, Governmental Efficiency.

*Wednesday afternoon*—Revenue and Taxation, Municipal Corporations.

*Wednesday evening*—Judiciary, Oil Industries, Public Health and Quarantine.

*Thursday morning*—Insurance, Federal Relations, Constitutional Amendments.

*Thursday afternoon*—Public Utilities, Elections.

*Thursday evening*—Education, Labor and Capital.

*Friday morning*—County Government, Public Charities and Corrections.

*Friday evening*—Judiciary.

### PERSONNEL OF SENATE COMMITTEES.

The following list of Senators and committees of which they are members was presented by the President, and on motion of Senator Inman ordered printed in the Journal:

*Allen, J. M.*—Contingent Expenses (Chairman), Agriculture and Live Stock; Engrossment, Enrollment and Printing; Irrigation, Judiciary, Mines and Mining, Municipal Corporations, Public Charities and Corrections, Roads and Highways, County Government.

*Allen, N. M.*—Constitutional Amendments (Chairman), Corporations, Education, Finance, Governmental Efficiency, Hospitals and Asylums, Municipal Corporations, Prisons and Reformatories, Public Health and Quarantine.

*Baker*—Revision of Criminal Law and Procedure (Chairman), Agriculture and Live Stock, Banking, County Government, Corporations, Education, Judiciary, Municipal Corporations, Roads and Highways.

*Boggs*—Agriculture and Live Stock (Chairman), Drainage, Swamp and Overflowed Lands; Elections, Finance, Insurance, Public Health and Quarantine, Public Morals, Reapportionment, Roads and Highways, Public Utilities.

*Breed*—Rules (Chairman), Finance, Fish and Game, Governmental Efficiency, Motor Vehicles, Reapportionment, Revenue and Taxation, Roads and Highways, Universities and Teachers Colleges.

*Canapa*—Oil Industries (Chairman), Banking, Civil Service, Commerce and Navigation, Finance, Fish and Game, Motor Vehicles, Public Health and Quarantine, Public Charities and Corrections.

*Chamberlin*—Fish and Game (Chairman), Commerce and Navigation, Finance, Judiciary, Labor and Capital, Public Health and Quarantine, Reapportionment, Revenue and Taxation, Revision of Criminal Law and Procedure.

*Christian*—County Government (Chairman), Constitutional Amendments, Education, Elections, Fish and Game, Governmental Efficiency, Judiciary, Mines and Mining, Public Health and Quarantine, Reapportionment, Municipal Corporations.

*Cobb*—Public Morals (Chairman), Agriculture and Live Stock; Drainage, Swamp and Overflowed Lands; Engrossment, Enrollment and Printing; Governmental Efficiency, Irrigation, Municipal Corporations, Public Utilities, Reapportionment, Universities and Teachers Colleges.

*Crowley*—Public Health and Quarantine (Chairman), Elections, Hospitals, Labor and Capital, Oil Industries, Prisons and Reformatories, Roads and Highways, Rules, Municipal Corporations.

*Evans*—Conservation (Chairman), Banking, Commerce and Navigation, Education, Elections, Insurance, Irrigation, Labor and Capital, Oil Industries, Reapportionment.

*Fellom*—Elections (Chairman), County Government, Corporations, Federal Relations, Governmental Efficiency, Municipal Corporations, Revenue and Taxation, Roads and Highways, Rules.

*Garrison*—Irrigation (Chairman), Civil Service, Conservation; Drainage, Swamp and Overflowed Lands; Engrossment, Enrollment and Printing; Fish and Game, Military Affairs, Mines, Public Morals, Public Utilities.

*Gray*—Hospitals and Asylums (Chairman), Commerce and Navigation; Drainage, Swamp and Overflowed Lands; Insurance, Motor Vehicles, Municipal Corporations, Public Health and Quarantine, Public Morals, Revenue and Taxation.

*Handy*—Banking (Chairman), Agriculture and Live Stock, County Government, Education, Finance, Fish and Game, Motor Vehicles, Reapportionment, Roads and Highways.

*Hollister*—Insurance (Chairman), Agriculture and Live Stock, Banking, Conservation, County Government, Education, Public Charities and Corrections, Reapportionment, Revenue and Taxation, Universities and Teachers Colleges.

*Hurley*—Public Charities and Corrections (Chairman), Commerce and Navigation, Education, Fish and Game, Insurance, Motor Vehicles, Oil Industries, Public Utilities, Roads and Highways, Manufactures.

*Ingram*—Mines and Mining (Chairman), Constitutional Amendments; Drainage, Swamp and Overflowed Lands; Education, Elections, Finance, Fish and Game, Governmental Efficiency, Roads and Highways, Conservation.

*Inman*—Finance (Chairman), Agriculture and Live Stock, Commerce and Navigation, County Government; Drainage, Swamp and Overflowed Lands; Hospitals and Asylums, Insurance, Judiciary, Labor and Capital, Public Utilities.

*Johnson*—Building and Loan Associations (Chairman), Education, Elections, Finance, Governmental Efficiency, Judiciary, Oil Industries, Public Morals, Revenue and Taxation, Revision of Criminal Law and Procedure.

*Jones, H. C.*—Judiciary (Chairman), Banking, Building and Loan Associations, Constitutional Amendments, Education, Finance, Governmental Efficiency, Revenue and Taxation, Revision of Criminal Law and Procedure.

*Jones, Ray*—Engrossment, Enrollment and Printing (Chairman), Agriculture, Corporations, Drainage, Irrigation, Mines and Mining, Motor Vehicles, Public Health, Roads and Highways, Universities and Teachers Colleges.

*Kline*—Motor Vehicles (Chairman), Agriculture and Live Stock, Conservation, Finance, Labor and Capital, Prisons and Reformatories, Reapportionment, Revision of Criminal Law and Procedure, Universities and Teachers Colleges.

*Lyon*—Municipal Corporations (Chairman), Finance, Fish and Game, Judiciary, Motor Vehicles, Oil Industries, Prisons and Reformatories, Public Morals, Revenue and Taxation, Universities and Teachers Colleges.

*Maloney*—Civil Service (Chairman), Contingent Expenses; Drainage, Swamp and Overflowed Lands; Governmental Efficiency, Hospitals and Asylums, Labor and Capital, Manufactures, Motor Vehicles, Prisons and Reformatories, Public Charities and Corrections.



*McKinley*—Corporations (Chairman), Constitutional Amendments, Elections, Federal Relations, Governmental Efficiency, Insurance, Judiciary, Military Affairs, Revision of Criminal Law and Procedure, Roads and Highways, Universities and Teachers Colleges.

*Mueller*—Military Affairs (Chairman), Banking, Commerce and Navigation, Fish and Game, Insurance, Judiciary, Labor and Capital, Prisons and Reformatories, Public Morals, Reapportionment, Revenue and Taxation.

*Murphy*—Labor and Capital (Chairman), Contingent Expenses, Constitutional Amendments, Education, Federal Relations, Manufactures, Public Health and Quarantine, Public Utilities, Revision of Criminal Law and Procedure, Banking, Reapportionment.

*Nelson*—Revenue and Taxation (Chairman), Agriculture and Live Stock, Banking, Commerce and Navigation, Finance, Insurance, Judiciary, Public Utilities, Revision of Criminal Law and Procedure, Rules.

*Pedrotti*—Prisons and Reformatories (Chairman), Civil Service, Motor Vehicles, Education, Hospitals and Asylums, Manufactures, Oil Industries, Public Health and Quarantine, Universities and Teachers Colleges.

*Rush*—Drainage, Swamp and Overflowed Lands (Chairman), Agriculture and Live Stock, Corporations, Elections, Finance, Hospitals and Asylums, Irrigation, Rules, Public Charities and Corrections.

*Sharkey*—Roads and Highways (Chairman), County Government, Constitutional Amendments, Education, Elections, Finance, Fish and Game, Municipal Corporations, Oil Industries.

*Slater*—Education (Chairman), County Government, Elections, Finance, Fish and Game, Hospitals and Asylums, Public Charities and Corrections, Agriculture and Live Stock, Building and Loan Associations.

*Swing*—Governmental Efficiency (Chairman), Constitutional Amendments, Federal Relations, Fish and Game, Judiciary, Motor Vehicles, Reapportionment, Roads and Highways, Revenue and Taxation.

*Taylor*—Commerce and Navigation (Chairman), Agriculture and Live Stock, Building and Loan Associations; Engrossment, Enrollment and Printing; Finance, Fish and Game, Labor and Capital, Corporations, Public Utilities, Roads and Highways.

*Tubbs*—Manufactures (Chairman), Education, Governmental Efficiency, Military Affairs, Motor Vehicles, Municipal Corporations, Prisons and Reformatories, Reapportionment, Corporations.

*Waggy*—Public Utilities (Chairman), Agriculture and Live Stock, Civil Service, County Government, Irrigation, Labor and Capital, Motor Vehicles, Oil Industries, Roads and Highways.

*Weller*—Reapportionment (Chairman), Conservation, Constitutional Amendments, Governmental Efficiency, Judiciary, Labor and Capital, Military Affairs, Motor Vehicles, Public Utilities, Revision of Criminal Law and Procedure.

*West*—Universities and Teachers Colleges (Chairman), County Government, Corporations, Finance, Insurance, Judiciary, Motor Vehicles, Public Utilities, Revenue and Taxation.

*Young*—Federal Relations (Chairman), Agriculture and Live Stock, Building and Loan Associations, Conservation, Fish and Game, Hospitals and Asylums, Insurance, Prisons and Reformatories, Public Health and Quarantine, Reapportionment, Revenue and Taxation.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 3—Providing for the appointment of a joint committee to investigate the advisability of installing electric voting machines in the two houses of the Legislature—and reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of January, 1927, at 4 o'clock and 40 minutes p.m.

JONES, RAY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 1—An act to amend section 626 of the Penal Code, relating to the protection of game, and making the same an urgency measure;

Also: Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies; And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of January, 1927, at 12 o'clock and 40 minutes p.m.

JONES, RAY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 1—Relating to the development of the Colorado River and authorizing the appointment of a committee to forward the legislation providing for such development;

Also: Senate Concurrent Resolution No. 2—Approving five certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the second day of November, 1926;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of January, 1927, at 10 o'clock and 25 minutes a.m.

JONES, RAY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 37—An act making an appropriation to meet the deficiency in the appropriation for the mileage of State Senators for the seventy-seventh and seventy-eighth fiscal years—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Christian: Senate Bill No. 57—An act to amend section 1409 of the Civil Code, relating to succession to the property of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 59—An act to amend section 1485 of the Code of Civil Procedure, relating to the settlement of estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Maloney: Senate Bill No. 60—An act to amend section 19 of the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to evidence.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 61—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 62—An act to amend sections 2333, 2336, 2337, 2338, 2344 and 2345 of the Political Code, relating to the State Department of Public Welfare.

Bill read first time, and referred to committee on Public Health and Quarantine.

By Senator Garrison: Senate Bill No. 63—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Evans: Senate Bill No. 64—An act to amend section 1801 of the Code of Civil Procedure, providing for the nomination and removal of guardians and for the removal and resignation or nomination of guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Concurrent Resolution No. 7—Approving nine certain amendments to the charter of the city of Alhambra, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Alhambra at a special municipal election held therein on the second day of November, 1926.

Referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add a new section to said act, to be numbered section 15a, relating to the payment of the interest due on bonds of the district.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Mueller: Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 67—An act to amend section 12 of an act entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of waterworks, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21 1905," as amended, relating to applications for



execution of deeds to property sold for delinquent street lighting assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 68—An act to amend section 6 of an act entitled, "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add three new sections to said act, to be numbered sections 6*a*, 6*b*, and 6*c*, respectively, relating to the annexation of territory to said district, and also adding a new section to said act, to be numbered section 6*d*, relating to the control of any existing publicly owned utility in such district.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto, to be numbered section 15*b*, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security for the deposit of public funds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 70—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 71—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 72—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913, by providing

that the surplus funds in the treasury of municipal utility districts may be invested in like manner as those of other municipal corporations mentioned in said act.

Bill read first time, and referred to Committee on Municipal Corporations.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER EIGHT.

Senator Chamberlin asked unanimous consent for the consideration of Senate Concurrent Resolution No. 8 without reference to committee. Unanimous consent granted.

By Senator Chamberlin: Senate Concurrent Resolution No. 8—Approving eleven certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the second day of November, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 8 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILL.

Senate Bill No. 37—An act making an appropriation to meet the deficiency in the appropriation for the mileage of State Senators for the seventy-seventh and seventy-eighth fiscal years.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the state, it is hereby declared an urgency measure and shall, under the provisions of article IV, section I of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Weller, and West—33.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 37 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hol-

lister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SECOND READING OF SENATE BILL.

By Senator Johnson: Senate Bill No. 209—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read second time, ordered engrossed, and on file for third reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 37—An act making an appropriation to meet the deficiency in the appropriation for the mileage of State Senators for the seventy-seventh and seventy-eighth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, First Assistant Clerk.

Senate Bill No. 37 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Senate Bill No. 56—An act to amend section 626 of the Penal Code, relating to the protection of game.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, First Assistant Clerk.

Senate Bill No. 56 ordered to enrollment.

#### ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, January 13, 1927.

The Senate met at eleven o'clock a.m.

Arthur H. Breed, President pro tempore of the Senate, in the chair.  
Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

Quorum present.



## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 12, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Swing was, on motion of Senator Tubbs, granted leave of absence for the day.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for the day.

Senator Baker was, on motion of Senator Garrison, granted leave of absence for the day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to R. J. Palmer and L. M. Becker of Los Angeles, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to James Mitchell, city attorney of Burbank, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Supervisors Milton Marks and John B. Badaracco of San Francisco, and Mr. A. Oberleitner of the Pile Drivers, Bridge, Wharf and Dock Builders Union.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: I am directed to inform your honorably body that the Assembly on this day adopted Assembly Concurrent Resolution No. 5—Relative to approving the charter of the city of Burbank, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Burbank at a special municipal election held therein for that purpose on the fourth day of January, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. WM. BOOTH, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIVE.

Senator Weller asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 5 without reference to committee.

Unanimous consent granted.

Assembly Concurrent Resolution No. 5—Relative to approving the charter of the city of Burbank, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Burbank at a special municipal election held therein for that purpose on the fourth day of January, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 5 adopted by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Innan, Johnson, Jones, H. C.,

Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 5 ordered transmitted to the Assembly.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Taylor:

Resolution passed by the Board of Directors of the San Dimas Fruit Exchange, January 6, 1927:

WHEREAS, The Florida White Fly has become established in certain parts of central California and is known to be one of the worst pests known in citrus culture; and

WHEREAS, The California Legislature of 1925 appropriated the sum of \$100,000 to eradicate such pest and thus prevent it from spreading to the main citrus areas both in northern and southern California, but such appropriation was reduced to \$40,000 by Governor Richardson when he signed the bill; and

WHEREAS, In order to provide enough funds to undertake such eradication the Citrus League of California, representing practically the entire citrus industry of the State, has contributed an additional \$40,000 for such work; and

WHEREAS, Because of the spread of said pest and the greatly increased number of host-plants (now known to be thirty-two in number) the Director of Agriculture, engaged in the work of such clean up, advises that the money available will not be sufficient to complete such eradication and that additional funds will be required to carry on the prosecution of this work for the next two years; now, therefore, he it

Resolved, That the San Dimas Fruit Exchange, representing 4300 acres of orange and lemon groves, realizing the menace of this pest to the industry, earnestly requests the Legislature in view of the gravity of the situation and the earnestness of the contribution by the citrus growers themselves to this end—to which fund its members are contributing—that an appropriation in the sum represented by the Director of Agriculture as necessary to carry on this work to completion be made for this purpose in order that the present effort to eliminate this dangerous pest shall not be lost, but followed up until the pest has been destroyed; for, on the advice of our best entomologists, if this pest is not now destroyed the annual cost of control measures will become a tremendous and continuous added burden that will run into many millions of dollars each year in such costs and the loss of production.

SAN DIMAS FRUIT EXCHANGE.

H. C. FOSTER, Secretary.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 29—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

SENATOR JONES IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Senator Jones, H. C., from the Twenty-eighth District was called to the chair.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the pay roll of the Senate:

Mrs. C. Dodge, Press Mailing Clerk-----\$4 00 per day

Resolution read, and on motion of Senator Crowley adopted.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Young: Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Taylor: Senate Bill No. 74—An act declaring a certain public highway extending from Los Angeles through Pomona and Ontario to San Diego to be a State highway and providing for the construction of the same.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator West: Senate Bill No. 75—An act to amend section 190 of the Penal Code, relating to punishment for the crime of murder and to repeal section 246 of the Penal Code, relating to punishment of persons undergoing life sentence.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Murphy: Senate Bill No. 76—An act to amend section 4 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, so as to require the keeping of records of the names and hours worked by female employees in all occupations subject to the provisions of the act, which records shall be accessible at all reasonable hours to the Commissioner of the Bureau of Labor Statistics, his deputies and agents, to whom is dele-



gated the duties of enforcing the provisions of the act, and making proof that any defendant was the manager or superintendent of any place of employment subject to the provisions of the act, at the time any female is alleged to have been employed therein in violation thereof, prima facie evidence that the said defendant employed and suffered and permitted the said female to so work, so as to bring him within the penal provisions of the said act, also making the records required by this act prima facie evidence, sufficient to sustain a conviction, if they show a violation of this act.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Christian: Senate Bill No. 77—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 78—An act to add a new section to the Political Code, to be numbered 1624, relating to the sale of school property by one district to another.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 79—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government, and relating to the compensation of officers of municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 80—An act to amend section 19 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to evidence.

Bill read first time, and referred to Committee on Judiciary.

By Senator Young: Senate Bill No. 81—An act to amend sections 8 and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to narcotic drugs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Jones, Ray: Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Mueller: Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and/or other timber products by persons who by their own labor, and/or by using their live stock, machinery and/or appliances, assist in felling, preparing, and/or transporting logs and/or in manufacturing lumber and/or other timber products from such logs, providing for means by which the owner of such logs and/or products manufactured therefrom may protect himself by a contractor's bond against any liens in

excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same, approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Judiciary.

By Senators Maloney and Inman: Senate Bill No. 84—An act appropriating money to pay the claim of the cashier of the Board of State Harbor Commissioners of San Francisco against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Allen, J. M.: Senate Bill No. 85—An act to amend section 369b of the Penal Code, relating to the transportation of live stock on railroads.

Bill read first time, and referred to Committee on Judiciary.

By Senator Handy: Senate Bill No. 86—An act to amend section 1740 of the Political Code, relating to meeting places of high school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 87—An act to amend section 632 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Jones, H. C.: Senate Bill No. 88—An act to amend section 1094 of the Political Code, relating to registration of electors.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 89—An act to amend section 1618 of the Code of Civil Procedure, relating to the compensation of administrators and executors.

Bill read first time, and referred to Committee on Judiciary.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,  
SACRAMENTO, January 13, 1927.

*To the Senate of the State of California.*

I herewith return without my approval Senate Bill No. 1. This bill seeks to change the period of the open season for the hunting of wild ducks and other waterfowl in such a manner as to make it conform to the federal regulations on the same subject, not lengthening the season, but advancing by two weeks the date on which the season opens and closes. Unless some such bill is enacted into law, serious confusion would result from this discrepancy between State and federal regulations. Therefore, I am in full accord with the purposes of the bill.

However, certain defects have been discovered in Senate Bill No. 1, and after consultation with its author I have decided to return it without my approval, and

to sign instead Senate Bill No. 56, subsequently introduced to accomplish the same result.

C. C. YOUNG, Governor.

VETO OF THE GOVERNOR SUSTAINED.

The question being: Shall the bill become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor were sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Boggs: Senate Concurrent Resolution No. 9—Relative to reports of the department encampment of the Grand Army of the Republic.

Referred to Committee on Engrossment, Enrollment and Printing.

By Senator Fellom: Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25, and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the direct primary law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said direct primary law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

Bill read first time, and referred to Committee on Elections.

By Senator Garrison: Senate Bill No. 91—An act to extend the Mother Lode highway from Sonora, Tuolumne County, to Mariposa, Mariposa County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Sharkey: Senate Bill No. 92—An act to amend section 3700 of the Political Code relating to salaries of the members and secretary of the State Board of Equalization, and to repeal section 3700a of the Political Code relating to the salary of the secretary of said Board.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Christian: Senate Bill No. 93—An act to amend section 873 of the Code of Civil Procedure, relating to trials in justices' courts.

Bill read first time, and referred to Committee on Judiciary.



## CONSIDERATION OF DAILY FILE.

## THIRD READING OF SENATE BILL.

Senate Bill No. 29—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness.

Bill read third time.

## URGENCY CLAUSE.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public health, within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency: Many cities in said State are without an adequate supply of pure water for municipal and domestic use, and as a result the lives of the residents of such cities are seriously endangered by disease. Such cities, or some of them, have heretofore taken proceedings to incur bonded indebtedness for the purpose of acquiring, constructing and completing systems for the supply and distribution of pure water for municipal and domestic use, but by reason of minor irregularities and defects in such proceedings not jurisdictional such bonds can not now be sold, and for that reason said cities are unable to secure funds with which to acquire, construct, and complete systems of water supply.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, West, and Young—33.

NOES—None.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 29 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, West, and Young—32.

NOES—None.

## TITLE AMENDED.

Senator Johnson moved to amend the title of Senate Bill No. 29.

## AMENDMENT NUMBER ONE.

On page one of the printed bill, line five of the title, strike out the period following the word "indebtedness" and insert the following: "and providing for a levy of taxes to pay the principal and interest of such bonds, and making same an emergency measure."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, re-engrossment and transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 13, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 37—An act making an appropriation to meet the deficiency in the appropriation for the mileage of State Senators for the seventy-seventh and

seventy-eighth fiscal years—and reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of January, 1927, at 10 o'clock and 45 minutes a.m.

JONES, RAY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 12, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 56—An act to amend section 626 of the Penal Code, relating to the protection of game—and reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of January, 1927, at 5 o'clock and 25 minutes p.m.

JONES, RAY, Chairman.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 5—Approving amendments and additions to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-first day of December, 1926:

Also: Senate Concurrent Resolution No. 6—Approving five amendments to charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the second day of November, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. ERB, Assistant Clerk.

Senate Concurrent Resolutions Nos. 5 and 6 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 8—Approving eleven certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the second day of November, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. ERB, Assistant Clerk.

Senate Concurrent Resolution No. 8 ordered to enrollment.

#### ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, January 14, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Burton R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Breed, Canepa, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline,

Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—29.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 13, 1927, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Christian was, on motion of Senator Hurley, granted leave of absence for the day.

Senator Chamberlin was, on motion of Senator Kline, granted leave of absence for the day.

Senator Ingram was, on motion of Senator Slater, granted leave of absence for the day.

Senator Young was, on motion of Senator Weller, granted leave of absence for the day.

Senator Pedrotti was, on motion of Senator McKinley, granted leave of absence for the day.

Senator Sharkey was, on motion of Senator Jones, Ray, granted leave of absence for the day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George R. Cadan, city councilman of Santa Rosa, and Len Martin of Vallejo, former Sergeant-at-Arms of the Senate.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Earl Warren, district attorney of Alameda County, and Paul St. Sure, chief deputy district attorney of Alameda County.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Earl C. Pound, president of Imperial Valley Irrigation District; Frank McIver, secretary and treasurer of Imperial Valley Irrigation District, and Ed Welch, director of the Niland Water District.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the Rev. Brewster Adams and Mrs. Adams of Reno, Nevada.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TEN.

Senator Breed asked unanimous consent for the consideration of Senate Concurrent Resolution No. 10 without reference to committee. Unanimous consent granted.

Senate Concurrent Resolution No. 10—Approving the charter of the county of Alameda, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the second day of November, 1926. Resolution read.

The question being on the adoption of the resolution.



The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 10 ordered transmitted to the Assembly.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ELEVEN.

Senator Breed asked unanimous consent for the consideration of Senate Concurrent Resolution No. 11, without reference to committee.

Unanimous consent granted.

Senate Concurrent Resolution No. 11—Approving a certain amendment to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at the general municipal election, held therein on the twelfth day of April, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Slater, Taylor, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 11 ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Evans: Senate Bill No. 94—An act to amend section 5 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to nomination of candidates.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 95—An act to amend section 1197 of the Political Code, relating to election ballots, the manner of voting and conduct of elections.

Bill read first time, and referred to Committee on Elections.

By Senator Boggs: Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16.54 consecutively to 16.58 to an act entitled "An act to establish a standard of weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, ware packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on County Government.

By Senator Hollister: Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision.

Bill read first time, and referred to Committee on Banking.

By Senator Boggs: Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Sharkey (by request): Senate Bill No. 99—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Inman: Senate Bill No. 100—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 2, 1926.

Bill read first time, and referred to Committee on Finance.

By Senator Nelson: Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 102—An act granting to the city of Eureka tide and submerged lands of the State of California including the right

to wharf out therefrom to the city of Eureka and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 103—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of the superior court judge of the county of Del Norte.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 104—An act to appropriate money to protect the banks of Mad River from erosion by means of brush and rock work along the banks thereof.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 105—An act to add a new section to the Political Code, to be numbered 737*ec*, relating to the salaries of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 106—An act to amend section 627*b* of the Penal Code, relating to the shipment of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Crowley: Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3*a* and 3*b* respectively, relating to licenses.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Rush: Senate Bill No. 108—An act authorizing and directing the California Highway Commission to reconstruct and repave the uncompleted section of the existing State highway, which extends from the town of Rio Vista, Solano County, to the town of Fairfield, Solano County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Hurley: Senate Bill No. 109—An act to amend section 58 of the California Vehicle Act, relative to operators' license fees.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Kline: Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district,



subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California; the properties and functions of the Palo Verde drainage district, and for the acquiring of such other properties, the construction of such other improvements and the doings of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit:

Section 8-a, relating to the offices of assessor, collector and treasurer; section 8-b, relating to consolidation and segregation of the offices of assessor and collector; section 8-c, relating to deputies to assessor and collector; section 15-b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27-a, relating to time for completion of assessment roll and time for equalizing assessments; section 27-b, relating to hearing as an equalization of values and duty of secretary in respect thereto; section 28-a, relating to levy of taxes by boards of supervisors; section 28-b, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28-c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28-d, relating to collection of unsecured taxes; section 28-e, relating to addition of unpaid water tolls and charges to taxes; section 28-f, relating to assessment lien; section 28-g, relating to change of assessments and refund of erroneous taxes; section 28-h, relating to notice that assessments are due and collections and delinquency of taxes; section 28-i, relating to suit against delinquents to collect taxes; section 28-j, relating to duty of collector on sale for delinquent taxes; section 28-k, relating to sale

for delinquent taxes; section 28-*l*, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28-*m*, relating to certificates of sale; section 28-*n*, relating to record book of property sold for taxes and interest on redemption; section 28-*o*, relating to redemption of property and collector's deed; section 28-*p*, relating to delinquent taxes and deed on dissolution of district; section 28-*q*, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28-*r*, relating to assessment roll or delinquent list prima facie evidence; section 28-*s*, relating to misnomers; section 28-*t*, relating to waste after sale for taxes; district's rights and actions to enforce the same; section 28-*u*, relating to settlements between secretary and collector; section 29-*a*, relating to warrant unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act.

Bill read first time, and referred to Committee on Irrigation.

By Senator Allen, J. M.: Senate Bill No. 111—An act to amend section 17 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to probation committees.

Bill read first time, and referred to Committee on Judiciary.

By Senator Murphy: Senate Bill No. 112—An act requiring railroads and railroad companies to reimburse employees for property losses sustained by moving terminals or division points.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Maloney: Senate Bill No. 113—An act to promote the safety of employees and travelers upon railroads by regulating the number of cars in trains.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Garrison: Senate Bill No. 114—An act to add a new section, being number 46*a*, to "The California Vehicle Act," relating to drivers' licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 116—An act to amend section 4300*f* of the Political Code, relating to fees of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 117—An act to add a new section to the Penal Code to be numbered 596*a*, relating to the prevention of cruelty to animals.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 118—An act to amend section 135 of the "California Vehicle Act," relating to stopping at railway crossings.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Evans: Senate Bill No. 119—An act to amend section 1195 of the Political Code, relating to elections and propositions to be voted thereon.

Bill read first time, and referred to Committee on Elections.

By Senator McKinley: Senate Bill No. 120—An act granting to the city of Los Angeles the tide lands and submerged lands of the State within the boundaries of said city.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Allen, N. M. (by request): Senate Bill No. 121—An act to prevent or prohibit the obtaining of money by fraudulent activities in the exercise of pretended psychic and metapsychic abilities or gifts usually termed "The occult"; and to prevent a misconception and misunderstanding on the part of the public of the facts and principles and vital significance of psychic and metapsychic phenomena; and providing for the more efficient functions and activities of bona fide religious organizations, psychical research associations, scientific commissions or organizations and educational activities in psychic and metapsychic fields; and providing penalties for the violation of same.

Bill read first time, and referred to Committee on Judiciary.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 2—Relative to approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara at a special municipal election held therein on the sixteenth day of November, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. EBB, Assistant Clerk.

Assembly Concurrent Resolution No. 2 referred to Committee on Municipal Corporations.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 14, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing, to which was referred Senate Concurrent Resolution No. 9—Relative to reports of the department encampment of the Grand Army of the Republic—has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted.

Committee membership: 5; committee vote: Ayes: 3; absent: 2.

JONES, RAY, Chairman.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINE.

Senator Boggs asked unanimous consent for the consideration of Senate Concurrent Resolution No. 9, without reference to committee.

Unanimous consent granted.



## SENATE CONCURRENT RESOLUTION No. 9.

Relative to reports of the department encampment of the Grand Army of the Republic.

*Resolved by the Senate, the Assembly concurring.* That there shall be printed as a public document five hundred copies of the sixtieth session of the department encampment of the Grand Army of the Republic for the year 1927, and of each succeeding department encampment, together with illustrations, copies of general orders of the department and of the official rolls, two hundred fifty copies for the use of the Senate and two hundred fifty copies for the use of the Assembly. Annual cost not to exceed six hundred dollars, payable from legislative printing appropriation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 9 adopted by the following vote: .

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hurley, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 9 ordered transmitted to the Assembly.

## ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, January 17, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Monday, January 17, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 14, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Garrison was, on motion of Senator Inman, granted leave of absence for the day.

Senator Chamberlin was, on motion of Senator West, granted leave of absence for the day.

Senator Christian was, on motion of Senator Hurley, granted leave of absence for the day.

Senator Mueller was, on motion of Senator Swing, granted leave of absence for the day.

Senator Handy was, on motion of Senator Slater, granted leave of absence for the day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Fred W. Wurster and Irving Martin, Jr., of Stockton, California.

On request of Senator Taylor, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Bruce Mason, city attorney of Long Beach, California.

## COMMUNICATION.

The following communication was received, and on motion of Senator Breed ordered printed in the Journal:

## STATE OF CALIFORNIA.

## COMMISSION FOR THE REFORM OF CRIMINAL PROCEDURE.

SACRAMENTO, CALIFORNIA, January 13, 1927.

*To the Legislature of the State of California.*

We herewith transmit our report, pursuant to the provisions of Chapter 346, Statutes of California, 1925, in relation to our study of the methods of criminal procedure, together with certain suggestions for amendments to the present system which will, in our opinion, tend to provide for this State a more efficient system for the swift and certain administration of criminal justice.

WALTER K. TULLER, Chairman.  
THOMAS M. GANNON.  
JOHN U. CALKINS, JR.

Attest: F. W. FELLOWS, Secretary.

## REPORT OF THE COMMISSION FOR THE REFORM OF CRIMINAL PROCEDURE, TO THE LEGISLATURE.

*To the Honorable, the Legislature of the State of California.*

The Commission for the Reform of Criminal Procedure created by your honorable body of 1925 (Statutes of 1925, page 622), presents its report. By the act creating said Commission, your honorable body directed this Commission:

"To make a study of the methods of criminal procedure and to recommend to the Legislature of the State of California, which will convene in the year 1927, such new system of criminal procedure or such amendments to the present system as will in its opinion tend to provide for this State the most efficient system for the swift and certain administration of criminal justice."

Pursuant to your mandate, the Commission has made the study directed and herewith submits a number of recommendations, all designed to secure an efficient system for the swift and certain administration of justice.

## INTRODUCTORY STATEMENT.

The studies of your Commission have shown that the amount of crime in this State, and indeed throughout the United States, is appalling. The first and most fundamental duty of every state is to insure the safety of the lives, homes, and property of its citizens. It is sad, but true, that this primary duty is being performed worse throughout the United States, including the State of California, than in any other civilized country in the world. The prevalence of crime, particularly crimes of violence, in this country is simply staggering. Human life has become so cheap, disregard for it so great, that we have a homicide rate fifty times as high as that of England. Robberies at the point of a gun of citizens on the streets, of banks,

stores, oil stations and like institutions, are of daily occurrence. No one's home is safe, for gangs of burglars, always armed and ready to kill, break into every habitation from the mansion to the humblest dwelling; and in our cities and towns, every morning sees the report of a long list of burglaries frequently accompanied by most atrocious acts of violence. Gangs of gunmen ply their profession of killing for profit or pleasure. In broad daylight, and in the streets of our greatest cities, it is necessary to use armored cars protected by men armed to the teeth—veritable engines of war—to transport money or valuables. Even to move the United States mail, it has become necessary to call upon the armed forces of the United States designed to repel foreign enemies and to use armed marines acting under orders "Shoot to kill," in order that this function of our national government may be carried on. Whether we realize it or not, we have a state of war, all the forces of organized crime making war upon the law-abiding citizenry of our country. Crime has become an organized business. It operates throughout the length and breadth of the land. It pays no attention to such artificial boundaries as city lines, county lines or state lines. It makes use of every modern invention, the high-powered automobile, the airplane, the automatic pistol, the machine gun. Crime is antisocial. It undermines the very foundations of the entire social structure. Either society must control and destroy organized crime, or organized crime will control and destroy society.

There are probably a number of causes which contribute to the vast amount of crime. One of the main contributing causes, if not indeed the chief one, undoubtedly is the gross inadequacy and inefficiency of our system of criminal procedure to meet the present day conditions. In dealing with the crime situation, as it exists today, we are dealing with a peculiarly twentieth century problem. Our system of criminal procedure is essentially a seventeenth and eighteenth century system. A procedure that may have been quite adequate to meet the conditions of those centuries is utterly inadequate in the present century. It is slow, cumbersome, archaic, inefficient. It should be swift, certain, modern and highly efficient. The present system, with its many opportunities for delay, with all the loopholes which it offers for the escape of the guilty, can almost be said to be an encouragement to crime. A swift, certain and efficient system, on the other hand, will be a most real and potent deterrent to crime. The entire history of criminal jurisprudence proves the truth of these observations.

The reasons for the defects in our present system of criminal procedure are mainly historical. The system grew up in England. It grew up at a time when criminal prosecutions very frequently were crown persecutions for political offenses. Another strong contributing factor in the development of the system was the fact that punishment for crime, even relatively trivial crimes, was hanging, and the rights given to defendants were very few. As a result of these conditions, there was gradually evolved a series of technical rules deliberately designed to give protection to the defendant, irrespective of whether he was guilty or innocent of the crime charged. Many of the rules were deliberately designed to prevent the proceedings from arriving at the truth. We have inherited, to a large degree, this system of rules. They may have been proper enough for the times and conditions under which they were evolved. They have no application in this day or to the conditions of today. England, where these rules grew up, discarded them and adopted a modern system of procedure seventy-five years ago. The result was a great and immediate reduction of the amount of crime. The old system was designed primarily for the protection of the defendant. It ignored almost entirely the rights of the public. The new system must protect all legitimate rights of a defendant, but at the same time must insure and protect, so far as possible, the great body of law-abiding citizens, the public. In the recommendations submitted herewith, great care has been taken not to infringe any right of a defendant. At the same time it has been constantly borne in mind that the safety of the great body of law-abiding citizens must also be conserved.

The great objective of any judicial proceeding should be to arrive at the truth. In criminal proceedings, particularly, the truth should be reached with swiftness and certainty. In general, it may be stated that those provisions which tend to aid courts and juries in arriving at the truth are good; conversely that those which tend to prevent or make more difficult the arrival at the truth are bad. Likewise far too little attention has been paid heretofore to the great importance of prompt and speedy hearings in criminal matters. This is of great importance from two aspects: First, as making it much more likely that the truth will be reached; second, in its deterrent effect upon the commission of other crime. The more promptly a case can be heard the more likely it is that a true verdict will be reached. Indeed when a matter of this kind is delayed, the chances of a miscarriage of justice increase probably not merely in arithmetical, but almost, if not quite, in geometrical ratio. Witnesses scatter, their memory becomes dimmed, they are subject to influence, and a host of other things arise that render likely a miscarriage of justice. Delay has been one of the greatest weaknesses in our criminal procedure and one of the greatest shields of the guilty.

Likewise, delay in the administration of criminal justice greatly weakens its deterrent effect, which is one of the great objectives of the criminal law. Punishment administered promptly after the commission of the crime, while the memory



of that crime is still fresh in the minds of the public, brings forcibly to the attention of all the fact that punishment does follow crime. This tends strongly to deter the commission of other crimes. When punishment does not follow promptly after the crime, a very large percentage of this deterrent effect is lost. Every consideration, therefore, proves the correctness and wisdom of the mandate of your honorable body that the criminal law should be made to function with swiftness and certainty. Your mandate has at all times been foremost in the minds of the Commission. The system which we are recommending has this as its objective: That in administering criminal justice the proceedings shall arrive at the truth and do so with the greatest simplicity, swiftness and certainty.

Much of the foregoing object can be accomplished by direct enactments of your honorable body. Certain parts of it, however, can only be accomplished by amendments to the constitution. The Commission, therefore, recommends the adoption of certain statutory enactments and that your honorable body submit to the people of this State for their consideration and action at the next general election certain constitutional amendments. Bills to carry out these recommendations have been prepared and are submitted concurrently with this report. The statutory enactments recommended will first be presented.

#### GENERAL OUTLINE.

It seems advisable to submit a general statement of some of the principal statutory enactments recommended.

#### SWIFTNESS.

There are three primary recommendations on this point:

First: Promptness in filing information and in proceedings prior to trial;

Second: Promptness in bringing the case to trial;

Third: Promptness in the hearing of the appeal.

Preliminarily, the Commission recommends the adoption, as section 681a of the Penal Code, which is the first section dealing with the matter of criminal procedure, a statute substantially as follows:

Sec. 681a. The welfare of the people of the State of California requires that all proceedings in criminal cases shall be heard and determined at the earliest possible time. It shall be the duty of all courts and judicial officers and of all district attorneys to expedite the hearing and determination of all such cases and proceedings to the greatest degree that is consistent with the ends of justice.

The purpose of this statute is self-evident. It declares, as the public policy of this State, a principle as to which we believe there can be no dispute, and imposes a mandate upon all courts, judicial officers, and district attorneys, which should permeate the entire conduct of criminal proceedings with a spirit of promptness and efficiency.

#### TIME FOR FILING INFORMATIONS.

The Commission next recommends that section 809 of the Penal Code be amended to require district attorneys to file the information within fifteen days (instead of thirty days as is now the law) after a defendant has been committed by a magistrate. This seems to be ample time for the district attorney and is also to the advantage of those defendants who for any reason are unable to secure their release on bail. It is further recommended that this section expressly permit the information to charge either the crime named in the order of commitment or any offense shown by the evidence taken before the magistrate. This will save time and avoid uncertainty and vexatious delays in cases where for any reason the order of the committing magistrate does not correctly designate the crime shown by the evidence.

#### TIME FOR TRIAL.

To insure cases being brought on for trial promptly, the Commission is recommending the enactment of a new section of the Penal Code to be known as section 1050, providing as follows:

Sec. 1050 (new). The court shall set all criminal cases for trial for a date not later than thirty days after the date of entry of the plea of the defendant. No continuance of the trial shall be granted except upon affirmative proof in open court, upon reasonable notice, that the ends of justice require a continuance. No continuance shall be granted for any longer time than it is affirmatively proved the ends of justice require. Whenever any continuance is granted, the court shall enter in its minutes the facts proved which require the continuance. Criminal cases shall be given precedence over civil matters and proceedings. If any court is unable to hear all criminal cases pending before it within thirty days after the respective defendants have entered their pleas, it must immediately notify the chairman of the Judicial Council.

The purpose of this section is self-evident. Perhaps the greatest delay in the past has been in bringing causes on for trial. As already noted, the sooner they can be brought to trial the greater the likelihood of a true verdict being reached. Practically all cases can be brought to trial with fairness to all parties within thirty days after defendant's plea is entered. To guard against injustice in the exceptional case, the court is given power to grant a continuance where it is affirmatively proved that

the ends of justice require it, but only for such time as it is proved that the ends of justice require. The facts proved which require the continuance should be entered in the minutes for the sake of the record. The proposed statute also gives criminal cases precedence over civil matters. It is believed there can be no dissent from this proposition. The welfare of the entire public is involved in the prompt determination of criminal matters to a far greater degree than in civil matters. It is finally recommended that if a court for any reason can not hear all criminal matters pending before it within thirty days it report that fact to the chairman of the Judicial Council, to the end that additional judges may be assigned to assist in clearing the overcrowded calendar. Under our present procedure delays extending through many months are not uncommon.

#### TIME FOR HEARING APPEALS.

It is recommended that the statute be amended to provide that all appeals in criminal matters shall be heard not later than thirty days after the filing of the record on appeal, unless upon affirmative proof to the satisfaction of the court that the ends of justice require a continuance. This statute, if adopted, will mean that in each district the District Court of Appeal should call a criminal calendar once each month and should insure the prompt hearing of practically all appeals in criminal cases. At the present time, it is not infrequent that six, nine, or even twelve, months may elapse after the record is filed in the appellate court before a case is brought on for hearing. No delays should be granted on stipulation of counsel, but only where it is proved to the court that the ends of justice require it.

#### CERTAINTY.

A number of recommendations are submitted designed to make the functioning of our criminal laws more certain. Only a few of the major recommendations will be referred to here.

#### PLEADINGS.

A more simple form of pleadings, both of indictments and informations, is recommended. It is believed that this will result in doing away almost entirely with technical questions of pleading and with cases being determined upon formalities rather than upon the merits, at the same time fairly advising the defendant of the nature of the case against him. It should save much time now consumed by demurrers, motions and proceedings of a similar character which relate only to questions of pleading.

#### TRIALS.

One of the fundamental defects in our method of trying criminal cases is that to a very considerable extent the trial has been a game between counsel for the people on the one hand and counsel for the defendant on the other, with the judge a mere umpire. We have had far too much of the "sporting element" in our administration of criminal justice. The administration of justice is far too important a matter to be made a game. The "sporting element," indeed all elements of chance, should be removed to the utmost possible extent and the greatest possible certainty of arriving at the truth substituted therefor. To this end statutes are recommended making it not only the right, but the duty, of the trial court to control the conduct of the trial, to limit the examination and cross-examination of witnesses, the introduction of evidence and arguments of counsel to relevant and material matters. For the same reason and also for increasing the swiftness of the operation of the law, a statute is recommended making it primarily the duty of the trial court to see that a fair and impartial jury is selected, with the discretionary power of permitting reasonable examination of prospective jurors by counsel. Nowhere in the world is as much time consumed in selecting a jury, with all the consequent expense and delay and congestion of calendars, as we permit in this country. The proposed statute is designed to cure this evil.

#### CERTAINTY OF PURPOSE.

Several recommendations designed to increase the certainty of proper punishment are made in connection with parole, indeterminate sentence and probation laws. These will be more fully explained later.

#### BAIL.

The present statutes relating to bail have been carefully reviewed and several changes recommended. These will be more fully discussed later in the report.

With this preliminary statement, we will proceed to take up in their order as they appear in the Penal Code the sections which it is recommended should be amended, or repealed, and new sections which it is recommended should be added, stating briefly the reasons for the several recommendations.

#### STATUTORY CHANGES RECOMMENDED.

##### (To the Penal Code.)

Section 165. This section relates to the crime of bribery. It is proposed to amend it by making it a crime for a member of a common council, board of supervisors, board of trustees, etc., to solicit or offer to receive a bribe. It has been held that under the law as it now stands such a public official who offers to receive, or solicits a bribe is not guilty of any crime.

Section 190. This section relates to murder in the first degree. Under the law as it now stands, it is made the duty of the jury, when a defendant is convicted of murder in the first degree, to fix the penalty either at death or life imprisonment. It has recently been held by the Supreme Court, *People vs. Hall*, 72 Cal. Dec. 341, that where a jury unanimously agree that defendant is guilty of murder in the first degree, but fail to agree upon the punishment, the judgment of conviction must be reversed and a new trial ordered. To cure this condition, the amendment recommended provides that if the jury finds a defendant guilty of murder in the first degree but can not agree upon the penalty, the court shall determine the same.

Section 484. (new). This is a new section. It consolidates the present crimes known as larceny, embezzlement and obtaining property under false pretenses, into one crime, designated as theft. The basis of all of these crimes as at present known is the unlawful taking or converting to one's own use of the property of another. The crimes are so similar that as the law now stands it is difficult, frequently practically impossible, to tell which crime has been committed in a particular transaction. By combining them all as the crime of theft, this difficulty will be obviated. In addition, the statute is so drawn that hereafter one who obtains real property by false pretenses will be guilty the same as one who obtains personal property by like pretenses. That seems clearly to have been the intention of the Legislature in the statute as it now stands, but it has been held that as the statute is drafted this object is thwarted. (*People vs. Foley*, 50 C. A. D. 203.)

Sections 485-490, inclusive. These sections dealing with the distinction of grand larceny, petty larceny, etc., are recommended to be amended to conform to section 485. In section 487 the word "automobile" is added so as to make one who steals an automobile guilty of grand theft without the necessity of proving its value.

Section 49a (new). It is recommended that this new section be added, providing that wherever any law or statute of this State mentions larceny, embezzlement, or stealing, it shall hereafter be read and interpreted as if theft were the crime referred to, thus obviating the necessity of amending several sections which relate to the crimes now sought to be consolidated into the new crime of theft.

Section 644. This is the habitual criminal statute. It is recommended that the statute be amended to provide that any person convicted of a felony, who has been twice previously convicted of a felony, either in this State or elsewhere, shall be adjudged an habitual criminal and sentenced to imprisonment for life. The law now is that a person convicted of a felony, who has been twice previously convicted of robbery, burglary, rape with force and violence, arson, or any of them, shall be adjudged an habitual criminal but he is not for that reason alone punished by life imprisonment. The Commission recommends that this distinction, which makes one who has been convicted three times of certain felonies, an habitual criminal, and one who has been convicted the same number of times of other felonies, not an habitual criminal, be abolished, and that all persons who are convicted the third time of any felony be adjudged habitual criminals and sentenced to imprisonment for life. Under the law as it now stands, one might, for example, be convicted three times of murder, or might be convicted of murder, grand larceny and embezzlement or of bribery, extortion and grand larceny and still not be adjudged an habitual criminal. It is submitted that when a person has three times committed and been convicted of crimes of the seriousness of felonies, it is the right and duty of society to put him where the law-abiding citizens of the State shall no longer be subject to his depredations. The habitual criminal is a fact. Law-abiding citizens are entitled to be protected from him.

If your honorable body feel that this provision is too severe, the general purpose may be preserved and at the same time those felonies which it is deemed are not sufficiently serious to come within the rule may be specifically excepted from its operation. If your honorable body should adopt this view such crimes as violation of the Corporate Securities Act, falsification of public records, and certain other minor felonies (if any crime which your honorable body has declared to be a felony may be deemed to be a minor crime) may be excepted.

Section 668. It is recommended that this section be amended to include section 644 within its terms.

Section 669. This section relates to the matter of consecutive or concurrent sentences where a person is convicted of two or more offenses. Its meaning may not be entirely clear. At least it has resulted in considerable confusion in actual practice. It is recommended that the section be amended to provide that when any person is convicted of two or more offenses he shall be sentenced separately for each offense and such sentences shall run consecutively. This will carry out the intent of your honorable body as expressed in the present section, is in accord with sound policy, and will remove the confusion that has heretofore existed.

Section 681a (new). This being the first section relating specifically to criminal procedure, it is recommended that it declare the policy of the law as follows:

Sec. 681a. The welfare of the people of the State of California requires that all proceedings in criminal cases shall be heard and determined at the earliest possible time. It shall be the duty of all courts and judicial officers and of all district attorneys to expedite the hearing and determination of all such cases and proceedings to the greatest degree that is consistent with the ends of justice.



The purpose of this section is to announce a principle and policy which shall be mandatory upon all judges, judicial officers and district attorneys to expedite criminal cases and proceedings from their inception to their final conclusion. This will vitalize all criminal proceedings with a new spirit. The present section 681 is made section 681b.

Section 809. This section requires the district attorney to file his information within fifteen days (instead of thirty days as at present) after defendant has been committed by the magistrate. It also authorizes the information to charge any offense shown by the evidence taken before the magistrate. Its purpose has already been explained.

Section 825. It is recommended that this statute be amended so as to require that a defendant be taken before a magistrate within not more than two days after his arrest, excluding Sundays and holidays. No specific time is fixed by the statute as it now reads.

Section 859. It is recommended that this section be amended to provide that the magistrate may postpone the examination for not less than two, nor more than five days, to permit defendant to send for counsel. No limit of time is fixed in the statute as it now reads.

Section 861. It is recommended that this section which relates to continuances of preliminary examination be amended to provide that such examination may be continued for not more than two weeks in all when consented to by defendant.

Section 869. It is recommended that subdivision five of this section be amended so as to require reporters' transcripts of preliminary examinations to be filed within five days after the close of the examination instead of ten days as at present, and provides that should the reporter fail to file the transcript within said time he shall receive but one-half of the compensation to which he would be otherwise entitled. This is necessary in view of the requirement that the information shall be filed within fifteen days after the order of commitment instead of thirty days as at present. It also provides that a copy of the transcript be served on the defendant at least five days before trial.

Section 915. This section now reads that the grand jury "must" inquire into all public offenses committed or triable within the county and present them to the court by indictment. It is recommended that the word "must" be changed to "may." A large percentage of crimes are now presented by complaint and information and it is impossible for the grand jury to inquire into all public offenses. The statute as it now reads is simply ignored.

Section 925. It is recommended that this statute be amended so as to require that every defendant indicted by a grand jury shall be served with a copy of the evidence given against him before the grand jury. As the statute stands at present, he is only entitled to such transcript if a stenographic reporter is present. Thus some defendants receive a copy of the evidence given against them and some do not. Either all defendants should receive a copy of the evidence or none should receive it. The Commission has resolved the doubt in favor of the defendant and recommends that all defendants have this benefit.

Sections 941-942. It is recommended that these sections be repealed. They relate to the effect of the failure of a grand jury to find an indictment. They seem to serve no useful purpose and might well thwart justice being done in some cases.

Section 951. It is recommended that this section be amended to provide a more simple form of indictment or information. If adopted, an indictment for murder (for example) may be in the following simple form:

"The grand jury of the county of-----hereby accuses  
A. B. of a felony, to wit: Murder, in that on or about the-----day  
of -----, 19-----, in the county of-----, State  
of California, he murdered C. D."

This is one of the statutes designed to eliminate technicalities in pleading and to make proceedings more simple.

Section 952. To help accomplish the same purpose it is recommended that this section be amended to conform in spirit and intent with section 951 as amended.

Section 954. It is recommended that this statute, which relates to joinder of offenses in an indictment or information, be enlarged to embrace complaints as well as indictments and informations and amended by changing the clause which now reads, "different statements of the same offense" so that it will read, "different statements of the same transaction." This is somewhat broader and more in line with correct policy and is in accord with what was evidently the intent of the Legislature in adopting the section. It is also recommended that a sentence be added reading as follows:

A verdict of acquittal of one or more counts shall not be deemed or held to be an acquittal of any other count.

It not infrequently happens that where the same transaction is charged in two counts the jury, having convicted of one, feels that it should and it does acquit of the other. Defendant then argues that since the same transaction was involved in both counts the acquittal on one operates as a matter of law as an acquittal on the other. The proposed amendment will obviate such contention.

Section 956. It is recommended that this be amended by adding the words "or of the place where the offense was committed, or of the property involved in its

commission." This is in accordance with sound policy and with the evident intent of this statute as it now reads.

Section 959. This section, which relates to the sufficiency of indictments and informations, is recommended to be amended to include complaints as well, but to omit sections six and seven for the reason that their subject matter is fully covered by section 952 as proposed to be amended.

Section 960. It is recommended that the words in this statute "which does not tend to the prejudice of a substantial right of the defendant upon its merits," be amended to read, "which does not prejudice a substantial right of the defendant upon the merits." This accords with article VI, section 4½ of the constitution. It should also be made to embrace complaints as well as indictments and informations.

Section 969. This section now provides that not more than two previous convictions must be charged in any one indictment or information. It is recommended that it be amended to provide that "all known previous convictions, whether in this State or elsewhere, must be charged." The entire criminal record of a defendant should be before the court in every case. This is particularly necessary, in view of the policy of the habitual criminal act.

Section 969a (new). It is recommended that this new statute be adopted designed to cover cases where, after the filing of an indictment or information, it is discovered that defendant has previously been convicted of felonies which were not known at the time of the filing of the indictment or information. If the discovery is made before sentence, the pending indictment or information shall be amended upon order of the court and the case proceed as if such prior convictions had been charged in the original indictment or information. If discovery is not made until after sentence, the statute provides for the filing of a supplemental information. Defendant shall be arraigned thereon and if he admit the prior convictions, shall be resentenced accordingly. If he deny them, the issue shall be tried. If the issue be determined in the defendant's favor, the proceeding shall be dismissed. If the issue be determined against him, he shall be resentenced accordingly.

The justice of this provision seems to require no argument. If a defendant has in fact been convicted of one or more previous felonies he ought not escape the consequences thereof simply because he has succeeded in concealing them.

Sections 995 and 995a. Section 995 now provides, among other things, that an indictment must be set aside if the names of witnesses who testify before the grand jury are not inserted at the foot of the indictment or endorsed thereon, and that an information must be set aside when not subscribed by the district attorney. To set aside a proceeding for such trivial reasons seems absurd. It is proposed that this be amended by eliminating these two provisions and adding a new section, 995a, providing that if the names of witnesses are not endorsed on the indictment or the information is not subscribed by the district attorney, the court may order this defect to be cured and the proceedings shall then continue.

Section 1006. It is recommended that this section be amended to require immediate hearings on demurrers unless exceptional cause for a delay be shown.

Section 1008. This section relates to amendments of indictments and informations. It is proposed to change the section to facilitate such amendments and further to provide that the sustaining of a demurrer and consequent dismissal of the charge shall not be a bar to instituting a new prosecution for the same offense. It is submitted that a mere defect in pleading in an indictment or information ought not to prevent a trial on the merits if the charge can be stated in such a way as to avoid the defects in pleading.

Section 1011. This section relates to pleas after demurrer disallowed. The changes recommended are to require the plea to be made forthwith and to eliminate the provision that "if defendant does not plead, judgment may be pronounced against him."

Sections 1016, 1017, 1020, 1026 (new), 1026a (new), 1151 and 1167. Insanity. These sections are grouped for the reason that they all relate to the matter of the defense of insanity and proceedings based thereon. This subject has been one of the most troublesome ones in the administration of American criminal law. The abuses of the present system are great. Under a plea of "not guilty" and without any notice to the people that the defense of insanity will be relied upon, defendant has been able to raise the defense upon the trial of the issue as to whether he committed the offense charged. This lack of notice that such defense would be made has very frequently placed the people at a very great disadvantage. An even more serious fault of the present system is that a defendant, when on trial as to whether he committed the offense, is able to bring into the case the whole matter of his sanity at the time of the offense charged. This enables him to submit to the jury great masses of evidence having no bearing upon the question whether the offense was committed. This is frequently made the basis of appeals to the sympathy or prejudice of the jury and even though this is not done, often introduces great confusion into the trial. It not infrequently happens that a jury finds a defendant not guilty when, in fact, it is convinced that the defendant committed the crime but believes he was insane at the time. Thus persons who are really dangerous to society through suffering from criminal insanity are turned back upon the public and become a menace to society.

After much study and consultation with experts, the Commission has worked out a system which it is believed will eliminate these evils. We recommend the establishment of a state hospital for the criminal insane. This will be more fully considered later in the report. So far as the legal proceedings relating to the matter of insanity are concerned, we recommend that section 1016 be amended to provide that where a defendant intends to raise the defense of insanity at the time the alleged offense was committed, he shall plead "not guilty by reason of insanity." This plea may be joined with any of the present pleas, but one who does not make such plea shall be conclusively deemed to have been sane at the time of the commission of the alleged offense. When defendant pleads "not guilty by reason of insanity," joining with it any other pleas, he shall first be tried in the regular way as to the issue raised by the other pleas without any question of insanity being raised. In such trial, for example, if defendant pleads "not guilty" and also "not guilty by reason of insanity," he shall first be tried in the regular way on the plea of not guilty. If the verdict be in defendant's favor, that, of course, ends the matter. If the verdict be in favor of the people, then the issue as to whether defendant was sane at the time the offense was committed shall be promptly tried, either by the same jury or by a new jury in the discretion of the court. If it be found that defendant was sane, he shall be given the legal sentence. If, on the other hand, it be determined that defendant was insane he shall be committed to the hospital for the criminal insane, or if such hospital be not yet established, to some other state hospital for the insane. Such commitment shall continue until it be judicially adjudicated that defendant's sanity has been restored. A person so committed, after having been in the hospital for one year, may file an application to have it adjudged that his sanity has been restored. If, on such application, the court finds in his favor, he shall be discharged. If the finding be against him, he may, at the expiration of a year, file a new application.

It is believed that this will obviate practically all the difficulties in the present system. The making of the plea "not guilty by reason of insanity" will give to the people notice that they must meet this issue. By having the trial on the merits distinct from the trial as to the issue of sanity, the present great confusion will be avoided, the issue will be clean cut and much time will be saved. If the defendant is found not guilty, all of the time, expense and delay now consumed in trying the issue of insanity will be saved. If defendant be found guilty, the issue of his sanity will be tried without any confusion with other matters. Where it is determined that a defendant is criminally insane, he will be committed to an institution. Thus the public will be saved from the constant menace to which it is subjected when insane persons with criminal tendencies are allowed to roam at large. By being in an institution designed for care and treatment of such persons, the insane person will be saved from many menaces to himself and will be given treatment which may result in the restoration of his sanity. It is believed that the plan recommended is sound, from a legal, practical and humanitarian standpoint.

In accordance with this policy, section 1167 should be repealed, and section 1151 amended by striking out that portion which refers to acquittals because of insanity.

Section 1044. It is recommended that a new section numbered 1044 be enacted to read substantially as follows:

It shall be the duty of the judge to control all proceedings during the trial, and to limit the introduction of evidence and the argument of counsel to relevant and material matters, with a view to the expeditious and effective ascertainment of the truth regarding the matters involved.

This is probably only declaratory of the power which the courts now have but which is far too little exercised. The purpose of the statute is to make it mandatory upon the court to control its proceedings to the end that justice shall be done. As heretofore noted, one of the great defects in our criminal proceedings has been that it has been too much a game between opposing counsel with the court acting merely as umpire. It has frequently been declared that in our country it is better to have a poor case and a good lawyer than a good case and a poor lawyer. This may not be entirely sound, but there certainly is an element of truth in it. The aim of judicial proceedings should be to arrive at the truth, regardless of the ability of counsel for the respective parties. To accomplish this, as well as to expedite the proceedings, it is essential that the court be more than a mere umpire. He should at all times control the proceedings. It is believed that the enactment of this statute will be very helpful in attaining this object.

Section 1049. This section now provides that after his plea the defendant is entitled to at least two days to prepare for trial. It is recommended that the words "two days" be changed to "five days." The Commission does not know of any cases where the present statute has been abused. Nevertheless, there might be cases where it would be unfair to force a defendant to trial in as short a time as two days. By increasing this time to five days this possibility of injustice to a defendant will be obviated.

Section 1050 (new). This statute requires that all criminal cases be set for trial for a date not later than thirty days after defendant enters his plea, and no continuance may be granted unless it is proved that the ends of justice require the same. This has already been fully discussed in the early part of this report.



Section 1052. It is recommended that this section be repealed, the matter being fully covered by section 1050.

Section 1070. Peremptory Challenges. It is recommended that this statute be amended to provide that the state and the defendant shall have an equal number of peremptory challenges, ten in capital cases and five in other cases. The law now gives the defendant twice as many challenges as the people.

Sections 1077-1078. It is recommended that section 1077 be repealed and section 1078 be amended to read as follows:

Section 1078. It shall be the duty of the trial court to examine the prospective jurors and to select a fair and impartial jury. He may, in his discretion, permit reasonable examination of prospective jurors by counsel for the people and for the defendant.

The purpose of this section is twofold: First, to cut down the great amount of time now consumed in the selection of juries; second, to increase the probability that a fair and impartial jury will be selected. As heretofore noted, there is no place in the world where anything like the amount of time is taken in selecting a jury as is common in this country in criminal cases. Days, weeks, sometimes even months, are used up in this way. Moreover, at the present time, the selection of a jury is to a large extent a game between counsel. It is but natural that each side should endeavor to secure jurors who will be favorable to that side. The ideal should be to select a fair and impartial jury. Each side is entitled to that. Neither side is entitled to more. This statute is designed to make it primarily the duty of the trial court to bring about the selection of such jury. There are undoubtedly cases in which reasonable examination by counsel should be permitted. The proposed statute permits this. It makes it the right and duty of the court always to control such examination to the end that justice shall be done and no undue delay occur.

Section 1089. It is recommended that this section be amended to equalize peremptory challenges to alternate jurors.

Sections 1096 and 1096a. Presumption of innocence. Reasonable doubt. Section 1096 now reads:

A defendant in a criminal action is presumed to be innocent until the contrary is proved, and in case of a reasonable doubt whether his guilt is satisfactorily shown, he is entitled to an acquittal.

It is recommended that this be amended and a new section added, to read substantially as follows:

Section 1096. The defendant in a criminal action is presumed to be innocent until the contrary is proved, but the effect of this presumption is only to place upon the state the burden of proving him guilty, beyond a reasonable doubt. Reasonable doubt is defined as follows: "It is not a mere possible doubt; because everything relating to human affairs, and depending on moral evidence, is open to some possible or imaginary doubt. It is that state of the case, which, after the entire comparison and consideration of all the evidence, leaves the minds of jurors in that condition that they can not say they feel an abiding conviction, to a moral certainty, of the truth of the charge."

Section 1096a. In charging a jury the court may read to the jury section 1096 of this code and no further instruction on the subject of the presumption of innocence or defining reasonable doubt need be given.

The question of the effect of the presumption of innocence and of the meaning of reasonable doubt has been one of the most troublesome in the whole field of criminal procedure. It would be difficult to estimate how many mistrials and how many reversals have resulted from instructions on this subject that have been held erroneous. If the proposed section is adopted, it will remove all doubts and uncertainties on this subject, and provide a clear statement of the law which can be given in every case and to which nothing need be added. This statement of the law is as fair and favorable to the defendant as any defendant can ask. The definition of "reasonable doubt" is copied verbatim from the most classical statement in American jurisprudence, namely, the decision of Chief Justice Shaw in *Commonwealth vs. Webster*, 5 Cushing 320. This definition has received the approval of courts and text writers ever since it was pronounced and has frequently been commended and declared to be the best definition by the Supreme Court of this State. (See for example, *People vs. Miller*, 171 Cal. 649). The adoption of this statute will add much to the certainty of the operation of criminal law.

Section 1098. This section now provides that when two or more defendants are tried jointly, each of them is entitled to five peremptory challenges in addition to those allowed by section 1070, but the State is given only "one-half the number of all the additional separate challenges allowed the defendants, any fraction to be regarded as an additional challenge." It is proposed to give the State "additional challenges equal to the number of all the additional separate challenges allowed the defendants," in conformity with the amendment suggested for equalizing the number of peremptory challenges.

Section 1123. When section 1089 was added to the Penal Code, authorizing the calling of alternate jurors, this section was apparently overlooked, as the two are

inconsistent as they now stand. It is recommended that section 1123 be amended to conform to section 1089.

Section 1156. This section now provides that the court must order a new trial for certain defects in a special verdict which could easily be remedied by further deliberation of the jury after instructions from the court pointing out the defects. The recommendations proposed will bring about a proper verdict at the first trial.

Sections 1168 and 1203. Probation, Indeterminate Sentence and Parole Law. It seems advisable to group the presentation of the recommendations made with reference to these laws. Many persons feel that these laws are wrong in principle and frequently abused in practice. After a careful study, however, the Commission has reached the conclusion that they are sound in principle. At the same time, it must be conceded that great errors and sometimes even serious abuses have occurred in their operation. The Commission therefore sought to work out a plan which would preserve all of the benefits of these systems and minimize their evils. It is believed this result has been accomplished.

#### A—Probation.

We are convinced that probation has a proper place in the law and serves a very useful purpose. Properly applied it is a great force for good. Improperly applied it is an undoubted force for evil. It is believed that the true purpose and function of probation is this: That one who has for the first time breached the social compact by an act so serious as to constitute a felony, but has not shown himself to be a menace to the lives of his fellow men, should be entitled to apply to the State as a matter of grace (for it should always be remembered that probation is a matter of grace only, not of right) for a chance to redeem himself and not have stamped upon him the brand of a penitentiary sentence. Conversely, however, a person who has more than once been convicted of a crime so serious as to be a felony, or a person who in committing a felony for the first time has shown himself to be a menace to the lives of his fellow citizens, should not be entitled to this act of grace on the part of the State. If probation be granted to such a person, the whole purpose of the law is prostituted. The law-abiding citizens of the State are subjected to a menace which is most unjust to the individual and dangerous to society. For all practical purposes it may be affirmed that any person who commits a felony while armed with a deadly weapon is a potential murderer. By that very act he demonstrates that he is a menace to the lives of his fellow citizens and to society. The person who arms himself with a deadly weapon to commit a felony does so that he may use it, that he may wound or kill if it seems necessary or advisable to insure the perpetration of the crime or his escape. The welfare of society demands that adequate steps be taken to deter such persons from carrying deadly weapons. It is, therefore, recommended that the probation law be amended so as to provide: First, that no person who has been previously convicted of a felony, either in this State or elsewhere, shall be eligible for probation; second, that no person who, at the time of the commission of the offense, or at the time of his arrest, was armed with a deadly weapon shall be eligible for probation; third, that the present provision which prevents public officials guilty of bribery, embezzlement or extortion from receiving probation, be retained.

It is further recommended that subdivision (c) of section 1203 be amended. That section now provides that a defendant who has been admitted to probation may, after such probationary period is complete, withdraw his plea and have the proceeding dismissed, and that he "shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted." It is recommended that there be added to this subdivision immediately after the words quoted the following:

"except that in any subsequent prosecution of such defendant for any other offense such prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed."

If one who has been convicted of a felony and has received the grace of the State through probation, thereafter commits another felony, there would appear to be every reason, indeed, if anything, more reason, why he should be treated as a second offender, than one who upon his first conviction received and served a sentence. To say that such a person, when he commits the second felony, is really a first offender, is simply to deny the truth. The Commission would not withdraw from the person who has received probation and thereafter lives a life of rectitude any of the protection now given him by this law. But if such person thereafter again becomes a felon, the law should permit the truth to be shown.

#### B—Indeterminate Sentence.

There is very considerable objection to the indeterminate sentence law. The Commission, however, believes that it serves a useful purpose, but that one very important change in it should be made. Under the system formerly prevailing in this State, the trial court fixed the sentence. This had certain disadvantages, the chief of which probably was the great disparity sometimes existing between the sentences given by one judge and those given by another judge for the same crime committed

under like conditions. It had, however, certain very real advantages. The judge of the trial court, who knew local conditions, who saw and observed the witnesses, who saw and observed the defendant, had an opportunity to form an opinion as to the real degree of culpability which the board of prison directors, sitting perhaps hundreds of miles away and acting on a printed record, can not possibly have. Realizing that there were advantages in each system and disadvantages in each, the Commission sought to work out a plan by which the advantages of both could be retained and the disadvantages of both minimized. Such a plan has been evolved. The plan recommended is this: That at the time of, and as part of the sentence, the trial court shall recommend the minimum term for which in his opinion the defendant should be confined before being eligible for release on parole or otherwise. This, it is to be noted, is not the fixing of the sentence, but only a recommendation as to the minimum term of actual confinement. The Board of Prison Directors shall have jurisdiction and power to release the defendant prior to the expiration of such recommended term, but shall not do so unless in its opinion exceptional cause therefor is shown. This leaves power in the prison board to correct any abuses that may arise through excessive recommendations, and to take into consideration facts which may develop subsequent to sentence and which were not known at that time. The plan thus preserves to a large extent the undoubted value of the opinion and recommendation of the trial court without in any substantial degree infringing upon the indeterminate sentence law or the power of the Board of Prison Directors. As a matter of fact, this board has for a long time attempted to get the opinions of trial judges in practically all cases coming before it.

#### C—Parole.

No changes are recommended in the parole law, except one to insure that second offenders and those who are armed with deadly weapons at the time of the commission of felonies or at the time of arrest shall receive adequate punishment, largely to the end that others may be deterred from embarking on a life of crime or at least from using deadly weapons in the commission of crime or arming themselves to resist arrest. It is recommended that offenders of this class shall not be released on parole except in accordance with the following schedule:

1. A person sentenced to life imprisonment shall not be eligible for parole until he has served a minimum of twenty-five years.
2. A person convicted of a felony, who at the time of the commission of the offense or his arrest was armed with a deadly weapon and who has theretofore been convicted of a felony, shall not be eligible for parole until he has served a minimum of fifteen years.
3. A person not theretofore convicted of a felony, but who at the time of the commission of the offense or his arrest was armed with a deadly weapon, shall not be eligible for parole until he has served a minimum of ten years.
4. A person for the second time convicted of a felony, but who was not armed with a deadly weapon at the time of the commission of the offense or his arrest shall not be eligible to parole until he has served a minimum of seven years.

It is believed that this plan, if adopted, will have a great deterrent value. At the present time many persons sentenced to life imprisonment are released on parole in ten years. There is a strong feeling that a sentence of imprisonment for life should mean exactly what it says, and that a person so sentenced should serve for life, unless released by pardon or commutation of sentence. There is much to be said in favor of this view. The Commission feels, however, that if the law provides that a person so sentenced must serve at least twenty-five years, the deterrent value will be almost as great as if no parole were allowed. There may be cases where after twenty-five years the parole board will find it proper to release such persons on parole. The second offender who uses a deadly weapon ought to be made to realize that he must serve a very substantial sentence. Such a law will probably tend to deter those who have been once convicted from committing other felonies, or at least, if they do commit them, from using a deadly weapon in their perpetration. The purpose of the other two recommendations is obvious and is along the same line.

Section 1180. This section as it now stands provides, among other things, that "the granting of a new trial places the parties in the same position as if no trial had been had." Its effect has been practically nullified by judicial decision. It is believed that it can be restored by amending it to provide that a defendant who makes a motion for a new trial, or who appeals from a judgment of conviction, thereby consents that if a new trial is granted or the judgment reversed, the effect shall be the same as if he had never been tried, and that he may again be tried upon the original charge, irrespective of the verdict of the jury in the first trial. The constitutionality of such a provision is established by the decision of the Supreme Court of the United States in *Trono vs. United States*, 199 U. S. 521, and a series of cases both in the federal and State courts since that time. The proposed amendment will simply make effective the clear intent of the Legislature expressed in the statute as it now stands.

Section 1181. It is recommended that subdivision six of this section be amended so as to provide that where a defendant has been convicted of a crime and the evidence is found insufficient to justify the conviction for that crime, but does justify the conviction of a lesser degree of the crime, or of some lesser and included crime,



either the trial court or the appellate court, as the case may be, need not set aside the verdict entirely, but may modify the judgment of conviction to the lesser crime.

The value of such a statute was illustrated by a recent decision of our Supreme Court in *People vs. Nagy*, 72 Cal. Dec. 192. In that case, defendant was convicted of arson in the first degree. The evidence clearly showed that the defendant was guilty of arson in the second degree, but was insufficient to show the presence of a human being in the property burned, which is necessary to constitute arson in the first degree. The court was compelled to set aside the judgment entirely and grant a new trial. Under the proposed statute, it would have been able to enter a judgment of arson in the second degree. The proposed statute in no way infringes upon the province of the jury, since it authorizes the court to pronounce only judgments on crimes which are lesser than and included within the verdict of the jury.

Section 1191. The proposed amendment to this section requires that judgment be pronounced immediately after plea or verdict of guilty, or after a verdict against the defendant on a plea of former conviction or acquittal, or once in jeopardy, instead of at a time (not less than two nor more than five days thereafter) to be appointed by the court, as now provided.

Section 1243. It is recommended that this section be amended to provide that the granting of a stay of execution on appeal shall rest in the sole discretion of the judge of the trial court. The evident intent of the Legislature in adopting the section as it now stands was to make the issuance of such certificate a matter of discretion. This intent has, to a large extent, been nullified by judicial decision. The proposed amendment will restore it. It is felt that this discretion should rest with the judge of the trial court rather than with the justices of the supreme or appellate courts, who can have no personal familiarity with the case.

Sections 1246, 1247*d*, inclusive. These sections all relate to the matter of making up the record on appeal. It is recommended that they be repealed and in lieu thereof a section be adopted providing that the record on appeal shall be made up within the time and in the manner prescribed by rules to be promulgated by the Judicial Council, and until such rules are promulgated the rules applicable January 1, 1927, shall apply. This suggestion is in accord with the prevailing policy that such matters of detail as making up of records on appeal should be regulated by rules of court rather than by hard and fast statutes.

Section 1252. It is recommended that this statute be amended to provide that all appeals in criminal cases shall be set for hearing for a date not later than thirty days after the filing of the transcript and that no continuance shall be granted unless the court shall find that the ends of justice require it. No continuance shall be granted upon stipulation of counsel. It is further provided that upon an appeal by defendant the appellate court shall, in addition to the points raised by defendant, consider and pass upon all rulings adverse to the State which it may be requested to pass upon by the Attorney General. The purpose of this proposed amendment is to carry out the policy of increased swiftness in the functioning of the criminal law. It is not uncommon under the present system that from six months to a year elapse after the verdict of conviction before the appeal is brought on for hearing. This is not the fault of the courts, but rather the fault of the system now in force. There is no good reason why the great majority of cases on appeal can not be heard promptly. Where, for some peculiar reason, the ends of justice require a longer time, the proposed statute permits the court to grant the continuance.

The additional provision that the appellate court shall pass upon rulings adverse to the State which it is requested to consider by the Attorney General is deemed an important one. At the present time the State has no way to review rulings adverse to it made during the trial. The proposed amendment will give this right, and thus a way will be opened to settle many disputed questions.

Section 1256. It is further recommended that a provision be added to the present statutes making it the duty of the district attorney to assist the Attorney General in presenting all matters on appeal. It is believed that it will prove very helpful, both to the Attorney General and to the court, to have the assistance of the district attorney who tried the matter in the court below.

Sections 1270-1307. Bail. The entire subject of bail has received the careful attention of your Commission. As a result of the study of the present system and its practical application, several changes are recommended. The present system has been and is subject to a number of very serious abuses. Perhaps first among these is the so-called "straw bail" evil, that is, the giving of bonds which are not collectible. Another series of abuses has grown up in connection with the bail bond business, that is, the business of giving bail bonds for pay. In considering the entire subject of bail, it should always be remembered that while it is right and proper in most cases for a defendant to be released on bail, still the bail bond must be of such a nature and in such amount that it will in practically every case (theoretically at least, in every case) insure that the defendant will not leave the State or secrete himself to escape punishment. The bail bond should be a secured obligation in favor of the people of the State of California. When cash is used as security, the cash must be deposited. If property is made the basis of security, the people are entitled at least to a lien upon that property. They are entitled to insist, certainly as much as any private client would be entitled to insist, that that security shall be a real, not merely a nominal, security.

This is of the utmost importance from each of two aspects: First, unless the security is of this nature there is a definite inducement to the defendant to flee and so thwart the whole course of justice; second, as the holder of a secured obligation the people are entitled to insist that the security shall be such that the obligation will be certainly collectible.

The general plan proposed is this: The sureties must justify upon oath and list the property which it is proposed to give as security for the bond. They must satisfy the trial judge that they own the property and that its value above all prior liens is ample to satisfy the amount of their undertaking. When the undertaking is approved by the trial judge it becomes a lien upon the property offered as security. This is designed to cure one of the great defects in the present system. Now the undertaking does not become a lien upon anything. There is now nothing to prevent a surety from encumbering or disposing of his property the day after the bail bond is accepted. To remedy this condition and make the undertaking a real security to the people of the state (not merely a nominal one) it is proposed that where the property offered is personal property it shall be deposited with the court to be held until the undertaking is discharged or, in case it be forfeited, the obligation is collected. Where the property offered as security is real property, the undertaking becomes a lien thereon and provision is made for recording notice of the undertaking in the county where the real property is situated. This plan will give to the people of the State the same measure of protection and security which any private client would insist upon his lawyer obtaining for him on a secured obligation. It is believed that the people in this tremendously important matter of insuring the enforcement of the criminal law are entitled to at least this degree of protection.

It is next proposed to amend the form of undertaking by adding a provision by which the surety will consent that, in the event the bail bond is forfeited, judgment may be entered forthwith for the amount of the undertaking. Under the present system, it is necessary to bring a separate civil action to enforce collection of the bond. When such judgment is entered it may be enforced in the usual way by the sale of the property given as security. To give an additional protection to the surety, however, it is provided that if within ten days after forfeiture of the bond the defendant and his bail appear and satisfactorily excuse the forfeiture and show to the satisfaction of the court that the absence of defendant was not with the connivance of the bail, the court may discharge the forfeiture of the undertaking upon such terms as may be just.

It is next recommended that the statute expressly provide that in fixing the amount of bail, the judge or magistrate shall take into consideration the seriousness of the offense charged, the previous criminal record of the defendant and the probability of his appearing at the trial; that the proposed sureties shall be required to state upon oath what, if any, consideration, indemnity or security they have received or been promised, and from whom, and that the bond shall not be accepted unless the judge is satisfied that none of the consideration, indemnity or security was feloniously obtained by defendant. In the British Empire bail for indemnity is prohibited. Indeed, the giving of bail for any consideration is in itself a crime. The Commission feels it is not necessary to go so far here. The proposed amendments will still permit a legitimate bail bond business to be carried on, but it is only right and just that where a bail bond is given for consideration or upon indemnity, the State should know what that consideration or indemnity is and from whom received.

It is further provided that all statements made by the proposed bondsmen (which must be under oath) shall be deemed material statements and if such a bondsman makes a false statement he shall be guilty of perjury.

If this proposed plan be adopted it is believed the present abuses of bail will be substantially cured without any injustice being done to any one. It has been suggested that the proposed plan may in some cases somewhat increase the difficulty of securing bail. This may or may not be true. If it proves true, however, it will only be in those cases where the bondsmen are unwilling to give to the people of the State real security for the appearance of the defendant. If it be conceded that the people are entitled to have a security that is real, not merely one that is a matter of form, this possible objection falls to the ground. The enforcement of criminal justice is a matter of the greatest importance to the welfare of the people of this State. Unless the defendant is present, the whole course of the administration of justice is thwarted and the arms of the people are paralyzed. Hence, when a defendant asks to be released on bail, the people have a right to insist that the bond which he gives to insure his appearance shall be a real one secured in such a manner that it is certainly collectible. This is the result which the proposed amendments are designed to accomplish.

Section 1506. It is recommended that a new section be added giving the right of appeal, in habeas corpus cases, to the people or to the petitioner, from a final order discharging or remanding a prisoner, and providing that if the people appeal, the defendant shall not be released from custody, except upon bail. Under the present system, the people are very greatly handicapped by having no redress where a defendant is improperly released on habeas corpus.

## HOSPITAL FOR THE CRIMINAL INSANE.

The Commission recommends that your honorable body create a hospital for the criminal insane. The fact that we do not have such a hospital is a serious blot upon the good name of the State. There can be no doubt about the fact that there are people who are criminally insane. Dementia praecox, paranoia in its various phases, and similar afflictions are real. People suffering from them are a menace to themselves and a most serious menace to society. They belong in an institution, so that this menace both to themselves and to society can be eliminated, and so that they may receive the best of care and treatment and, where possible, be restored to sanity. It is most unfair both to them and to the public that they be allowed to roam at large as most of them now do. It is most unfair likewise that they be confined in a hospital for the harmlessly insane where there are no adequate provisions for caring for them and where they are a menace to the lives of the other unfortunates committed to such institutions.

Hospitals for the criminal insane have demonstrated their worth and value wherever they have been established. It is suggested that the hospital be placed under the jurisdiction of the Board of Prison Directors. The same staff of experts can then be utilized for the hospital and for the necessary psychiatric and similar examinations which should be made of all convicts in the penitentiaries. Such examinations are essential in proper penology. The hospital will not only provide greatly needed security to the public and to the individuals who are afflicted, but can also be made a splendid clinic for the study of criminal insanity and cures therefor.

The cost need not be great. It can be planned and constructed on the unit system, allowing enlargement from time to time as needed. The establishment of such a hospital will not only add greatly to the safety of the people of the State, but will be in accord with the finest humanitarian principles.

## EXTRADITION OF WITNESSES.

The Commission recommends the adoption of a statute authorizing the Governor in proper cases to subpoena persons who are present in California, but who are material witnesses in criminal prosecutions pending in other states, to attend and testify in such proceedings; their mileage and fees must be paid by such other state. The law all over the United States is deplorably deficient through absence of provisions for securing the attendance or testimony of witnesses who have left the State. If a material witness leaves a state and declines to return, there is usually no way to secure his evidence. Thus in many cases justice is completely thwarted. The proposed statute is an act of comity to assist our sister states in enforcing criminal justice. In this respect it is similar to our statutes providing for extradition of persons accused of crime. If any further reason for its enactment be desired, it should be sufficient to call attention to the fact that crime is no longer localized. It has become national in its character. Every state is directly interested in the enforcement of criminal law all over the country.

The proposed statute provides in effect that the Governor of any other state of the United States may apply to the Governor of California to subpoena any person present in California to attend as a material witness in a criminal prosecution pending in said other state. If it shall be made to appear to the satisfaction of the Governor of California that such person is a material witness in a criminal prosecution there pending, and said other state shall advance the mileage and fees for said witness, the Governor of California may issue his subpoena requiring said witness to attend and testify in said proceeding. If the Governor of California be of the opinion that said witness may refuse to obey said subpoena, he may issue a warrant for said witness delivering him into the custody of an officer of said other state to be transported to the place where said proceedings are pending. The statute shall apply equally whether the attendance of the witness be desired by the people or by the defense. It is hoped that if California adopts such a statute other states will do likewise and thus promote the enforcement of justice throughout the entire country.

## CONSTITUTIONAL AMENDMENTS.

As noted at the beginning of this report, certain changes necessary to proper administration of criminal justice can be brought about only through your honorable body submitting to the people, for approval by them, of certain amendments to the constitution. It is recommended that your honorable body submit to the people for their action at the general election of 1928 the following amendments:

First—One permitting the jury to consider the fact that defendant fails to take the stand in his own behalf;

Second—One empowering the Legislature to provide for the taking of depositions in criminal cases, either within or without this State;

Third—One permitting the waiver of a jury trial in felony cases where both the people and the defendant desire to make such waiver;

Fourth—One restoring the jury trial as originally known and developed, by repealing the provision which prohibits the jury from receiving the benefit of any comments on the evidence by the trial court;



Fifth—One authorizing the Legislature to create new divisions of the district courts of appeal when necessary :

Sixth—One shortening the time within which the decision of a District Court of Appeal in a criminal case becomes final, from thirty days to fifteen days, allowing an additional fifteen days within which the Supreme Court may order a hearing before itself ;

Seventh—One authorizing the Legislature in its discretion to provide reasonable compensation to the members of the State Board of Prison Directors and to provide for them the services of trained psychiatrists and similar experts ;

Eighth—One providing that where a verdict of judgment of conviction is set aside on the application of defendant he may be retried on the original charge, irrespective of the grade or degree of crime of which he was convicted in such verdict or judgment.

These will be briefly considered in their order :

First—One Permitting the Jury to Consider the Fact That Defendant Fails to Take the Stand in His Own Behalf.

It can not too often be stated that the fundamental purpose of a criminal trial should be to arrive at the truth. If a defendant refuses to take the stand on his own behalf that is a fact in the case. Its weight may vary with circumstances, but whatever its weight it is a fact in the case. The law now provides that the jury must not consider this fact. It may well be doubted whether it is humanly possible to fail to consider it. Be that as it may, the jury should be entitled to consider it. In many cases it will materially aid in arriving at the truth.

The rule which prohibits the jury from considering this fact is probably an outgrowth of another rule long ago in force in England, which prohibited a defendant from testifying in his own behalf. The defendant not being permitted to testify, it was of course fair and just that his failure to testify should not be considered a fact in the case. The rule which forbade him to testify has long ago been discarded and he can now testify like any other witness. Strangely enough, however, we have still kept the companion rule after the reason for it has ceased to exist. In the interests of truth it should be discarded.

Second—One Empowering the Legislature to Provide for the Taking of Depositions in Criminal Cases, Either Within or Without This State.

The law now permits the defendant to take depositions but prohibits the people from doing so. This has brought about a condition that is intolerable. To illustrate: A murders B. C is the only witness. If C can be induced to leave the State of California there is no way to bring him back. His deposition can not be taken by the people and as a result the whole course of justice is thwarted and the arms of the people are paralyzed. The proposed amendment simply empowers the Legislature to provide, upon such terms and conditions as it may deem just, that the people may take depositions either within or without the State.

Third—One Permitting the Waiver of a Jury Trial in Felony Cases Where Both the People and the Defendant Desire to Make Such Waiver.

Jury trials may be waived in all civil cases and in all criminal cases except felony cases. It is submitted that there is no reason why it should not be permitted in felony cases also where both the people and the defendant desire the waiver. This is in no sense depriving any one of a jury trial, for he will have the jury trial unless he voluntarily waives it. This system has been in force for a long time in Connecticut and Maryland and has worked well. In a very considerable percentage of the cases the jury is waived. This results in a great saving of expense to the State and in considerably greater expedition in the trial of such cases.

Fourth—One Restoring the Jury Trial as Originally Known and Developed, by Repealing the Provision Which Prohibits the Jury From Receiving the Benefit of Any Comments on the Evidence by the Trial Court.

The jury trial as originally developed and as now known and conducted in all courts of the English speaking world (including the United States courts) except only the courts of some of the American states, of which California is one, is a trial by a jury which may receive the benefit of the comments on the evidence by counsel for the people, counsel for the defense and by the trial court. Such comments by the court have no binding effect. The jury remains the sole judge of the facts. The comments are simply to assist the jury in arriving at the truth. Under the practice in this State, counsel for the people may comment on the evidence, counsel for the defendant may do likewise, but the jury is absolutely deprived of any comment on the evidence by the one trained and impartial man in the courtroom, namely, the judge of the trial court. His lips are sealed with a constitutional padlock, and the jury is ordered to struggle the best that it can to arrive at the truth without the benefit of any comment whatever from the trained judge whom the people have placed upon the bench. This is not the jury trial, which is one of the glories of Anglo-Saxon jurisprudence. The Supreme Court of the United States in *Capital Traction Company vs. Hof*, 174 U. S. 1, describes the historical jury trial, the time-hallowed institution, as follows:

"'Trial by Jury,' in the primary and usual sense of the term at the common law and in the American constitution, is not merely a trial by a jury of twelve men before an officer vested with authority to cause them to be summoned and impaneled, to administer oaths to them and to the constable in charge, and to enter judgment and issue execution on their verdict; but it is a trial by a jury of twelve men, in the presence and under the superintendence of a judge empowered to instruct them on the law and to *advise them on the facts* and (except on acquittal of a criminal charge) to set aside their verdict if in his opinion it is against the law or the evidence. The proposition has been so generally admitted and so seldom contested, that there has been little occasion for its distinct assertion. Yet there are unequivocal statements of it to be found in the books." (Italics ours.)

Professor Thayer, one of the greatest commentators and jurists that this country has produced, speaking upon the same subject, says:

"It is not too much to say of any period, in all English history, that it is impossible to conceive of trial by jury as existing there in a form which would *withhold from the jury the assistance of the court in dealing with the facts*. Trial by jury, in such a form as that, is not trial by jury in any historic sense of the words. It is not the venerated institution which attracted the praise of Blackstone and of our ancestors, but something novel, modern and much less to be respected." (Italics ours.)

It is probably true that one of the main reasons for the greater efficiency of jury trials in the courts of England and of Canada and in the courts of the United States over that existing in our State courts is the fact that there the jury can receive the benefit of the comments of the trial judge. The fundamental test to be applied to this as to other questions of procedure is: What rule will be most likely to insure that the proceedings will arrive at the truth? The Commission believes that, both as a matter of sound principle and by the demonstration of long experience, a jury is more likely to arrive at the truth when it is permitted to have the benefit of the comments of the trial judge upon the evidence than when it is deprived of them. One of the most important functions of citizenship is jury service. Nothing is more essential to the welfare of society than that those who serve upon a jury should return a true verdict. We draw our juries from all walks of life. Generally speaking, they are not familiar with the processes of adducing evidence in a courtroom, the slow and somewhat cumbersome method of question and answer, the objections and arguments of counsel, and the various matters that arise in the conduct of almost every criminal case. They may listen for days, or even weeks, to the evidence. At the conclusion counsel for the people and counsel for the defense may argue to them at length (in passing, it should be noted that this argument is not to permit counsel to display their talent, but for the reason that their comments on the evidence may assist the jury in arriving at the truth). At the conclusion of it all, the jury must sift the evidence, accept this and discard that, believe this and reject that, and by its verdict arrive at the truth. Can it be denied that in the great majority of cases they will be more likely to arrive at a true verdict if they are permitted to have the benefit of the comments on the evidence not only of counsel, but also of the one trained and impartial man in the courtroom, the representative of the people of the State in a true sense, the judge upon the bench?

Objection may be made to the proposed plan on the ground that it would be possible for the trial judge to abuse his power in commenting on the evidence. It must be conceded that an occasional abuse is a possibility. There can be no power without it being possible that such power may be abused. The pardoning power, the veto power, the power to grant probation and parole, the power of city councils and boards of supervisors, of railroad commissions, of legislatures, and even of the Congress may possibly be abused and perhaps in some instances have been abused. That is no reason for destroying the power or abolishing such bodies. There is no reason to believe that the power proposed to be given to our judges would be abused to any substantial degree. Indeed, any attempted abuse of the power, any attempt to influence the jury unfairly in favor of one side or the other, would be more likely to react against the desired result. Any marked abuse of the power by a judge would probably result in his soon ceasing to be a judge.

Many of the leading jurists of our country, such men as Chief Justice Taft of the Supreme Court of the United States, Dean Roscoe Pound of Harvard Law School, and numerous others of the same caliber believe that the proposed change is not only just and wise, but essential to insure greater certainty of true verdicts in our criminal courts. The Commission appreciates, at the same time, that there are persons who sincerely fear that the proposed power might be substantially abused. The question is one of fundamental importance. It can be decided and should be decided only by one body, namely, the people of California. The Commission believes that it is only just that the people should be given an opportunity to decide. It is, therefore, recommended that the proposed amendment be submitted to the people for their decision.

#### Fifth—One Authorizing the Legislature to Create New Divisions of the District Courts of Appeal When Necessary.

At the present time, it is necessary to amend the constitution each time it is desired to create another division of the District Court of Appeal. The State is

growing so rapidly that the business of the courts has greatly increased and the present district courts of appeal are far behind in their calendars. It is a fundamental truth that a delay of justice is frequently a denial of justice. Your honorable body has shown that it appreciates the importance of swiftness in the administration of justice. There would seem to be no good reason why your honorable body should not have the power to create new divisions of the district courts of appeal when the public interest requires it.

Sixth—One Shortening the Time Within Which the Decision of a District Court of Appeal in a Criminal Case Becomes Final from Thirty Days to Fifteen Days, Allowing an Additional Fifteen Days Within Which the Supreme Court May Order a Hearing Before Itself.

At the present time a decision of a District Court of Appeal does not become final for thirty days and another thirty days then elapses during which time the Supreme Court may order the cause transferred to itself for hearing and decision. For criminal cases, at least, this time seems entirely too long. It is not consonant with the swift administration of criminal justice. An amendment, therefore, is recommended which will provide that in criminal cases the judgment of a District Court of Appeal shall become final in fifteen days after its rendition, with an additional fifteen days allowed during which time the Supreme Court may order the cause transferred to itself. Since this Commission's activities are directed toward the administration of criminal justice only, no change is recommended with regard to civil cases.

Seventh—One Authorizing the Legislature in its Discretion to Provide Reasonable Compensation to the Members of the State Board of Prison Directors and to Provide for Them the Services of Trained Psychiatrists and Similar Experts.

The present constitution (article X, section 4) provides that the members of the Board of Prison Directors shall receive no compensation, other than reasonable traveling and other expenses incurred while engaged in the performance of official duties. This was adopted in 1879 at a time when the duties of the Board of Prison Directors were very much less onerous and less important than they are now. Since that time both the indeterminate sentence law and the parole law have been passed, imposing upon the board very important duties, which were unknown at the time the constitution was adopted. Likewise, the burden of administering the prisons has greatly increased. It is recommended that a constitutional provision be submitted to the people which will reduce the number of members of the board from five to three and authorize the Legislature in its discretion to provide reasonable compensation for the members of the board, and also to furnish them necessary expert assistants, psychiatrists, psychologists, and the like. The duties now performed by this board are of great importance. If they are to be properly carried out they require a large portion of the time of the members of the board. The proposed amendment does not in itself allow the members of the board any compensation. It simply empowers the Legislature in its discretion to provide compensation.

Eighth—One Providing That Where a Verdict or Judgment of Conviction is Set Aside on the Application of Defendant He May Be Tried on the Original Charge, Irrespective of the Grade or Degree of Crime of Which He Was Convicted in Such Verdict or Judgment.

The purpose of this amendment may be illustrated by the following example: A defendant is charged with murder in the first degree. He is convicted of manslaughter. On his motion for new trial or on his appeal the judgment and verdict are set aside. It has been held that he can not again be tried on any charge more serious than manslaughter. This is based upon the theory, which is purely legalistic, that the conviction of manslaughter amounted to an acquittal of murder. The fallacy of this doctrine has been fully exposed. See for example, *Trono vs. United States*, 199 U. S. 521. Moreover, where a defendant causes a verdict to be set aside, it should be set aside completely and he should not be allowed to claim any protection under it. This is the policy of your honorable body as declared in section 1180 of the Penal Code as it now stands. The Commission has recommended an amendment of that section to make this policy effective. It is believed that amendment is constitutional. To avoid any possible doubt, however, this amendment to the constitution is also proposed.

#### FINANCIAL REPORT.

Your honorable body appropriated \$10,000 for the expenses of this Commission. The Commission is happy to report that it will be able to return to the treasury of this State a very substantial part of the money appropriated, probably in excess of \$3,000.

#### CONCLUSION.

It is hoped and believed that if your honorable body sees fit to adopt the statutory changes recommended and the people of the State approve the constitutional amendments, the result will be not merely greatly increased efficiency, swiftness and certainty in the administration of criminal justice in this State, but also a great reduction in the amount of crime. All past experience proves that this increased efficiency is always followed by such reduction in crime. The Commission has endeavored to do the task assigned to it, namely, to provide a more efficient system



for the swift and certain administration of criminal justice. It has endeavored not to encroach upon other fields. Our studies have led us to the conclusion, however, that indispensable as it is that such a system of criminal procedure should be adopted, still this is only a part of the problem of crime. There are other very important phases. The Commission, therefore, has reached the conclusion and hereby respectfully recommends that your honorable body create a commission to study the other phases of the crime problem and report its findings and recommendations to you. Some of the important phases that it is suggested might well receive such consideration are:

First and foremost, crime prevention. Everything that can be done to prevent the commission of crime, to turn those disposed toward such a life into a life of honest effort, to take a boy or girl who is just entering upon the pathway of crime and turn his feet to the paths of rectitude, is a social service and a humanitarian service of the highest order. There are vast opportunities in this field. Some methods also must be devised for segregating the hardened criminal from those who may be redeemed to become useful members of society. Too often the former become professors of crime, and our jails and penitentiaries (in spite of the best efforts of sheriffs, jailers and wardens) become institutions for education in all the arts of the criminal profession. The whole subject of crime prevention has been too long ignored in this country. This is one of the reasons for the tremendous price we are now paying. Both morally and financially it is cheaper and easier to prevent crime than to attempt to cure it.

Secondly, the matter of crime detection and the apprehension of criminals. The subject of the detection of crime is in itself a vast one. Recent scientific discoveries have opened entirely new fields without disturbing in any substantial degree fundamental principles that have long been known among experts. Those who are charged with the detection of crime should be given the best education in their profession and furnished with all the facilities which the scientific world affords. The matter of the apprehension of criminals is also one where much improvement can be made. The criminal pays no attention to artificial boundaries, whether of city, county or state. Too often our officials charged with the apprehension of criminals are bound down, hampered and limited by such lines. Such a commission as is recommended might be able to evolve a plan which would result in far greater efficiency than we now have in the fields of detection and apprehension.

Third, another subject worthy of careful and complete study is that of penology. Among other things this might involve a complete survey of our jail system, our reformatories, our penitentiaries, our road camps, and kindred institutions. An important question for consideration is that of giving to convicts in our institutions some kind of training, technical or otherwise, to fit them to earn an honest livelihood after they are released. Another subject worthy of consideration is whether the State can be of greater assistance in helping released convicts to secure employment and keeping some check of their activities for a reasonable time after their release.

The foregoing observations are made not with the idea of expressing an opinion on any of the subjects, but as indicating the great necessity of such a commission as that recommended, the wide scope which its activities may well take and the great public benefits which may result.

Such a commission should be adequately financed. If objection be raised to the State spending the necessary money, it may be worth while to note that it is estimated the cost of crime to the United States is ten billions of dollars each year. Just what is the cost to the State of California can not be accurately stated, but it is fair to assume that we bear at least our fair proportion of this tremendous total. Bearing in mind the human and social, as well as the financial, cost of crime, it would seem doubtful whether money could be better expended than in ameliorating these conditions. Certainly no greater humanitarian service can be rendered.

The problem of crime is probably the most vital one now confronting our State and our nation. All our citizens, whatever their walk in life, their race, their color, their vocation or their political beliefs are equally subject to this menace. All are equally concerned in preserving the lives of their loved ones and themselves, in securing the sanctity of their homes and the security of the property accumulated by their toil. Serious as is the problem of crime, it is by no means a hopeless one. If we meet it with true American courage and determination the problem will be solved and the lives, homes and property of our citizens will be made safe and secure.

Respectfully submitted,

WALTER K. TULLER, Chairman.  
THOMAS M. GANNON,  
JNO. U. CALKINS, JR.,

Commissioners.

Attest: F. W. FELLOWS, Secretary.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 8, relative to joint rules of Senate and Assembly.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Concurrent Resolution No. 8 referred to Committee on Rules.

## RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

MR. PRESIDENT: Your Committee on Contingent Expenses begs leave to report the following resolution and recommends its adoption:

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

Officer	County	Mileage	Total at ten cents
Young, C. C., President	Alameda	168	\$16 80
Beek, Joseph A., Secretary	Orange	990	99 00
Powers, Harold, Minute Clerk	Modoc	832	83 20
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40

ALLEN, J. M., Chairman.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Murphy, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Boggs: Senate Concurrent Resolution No. 12—Relative to approving eleven certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 12, 1926.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWELVE.

Senator Boggs asked unanimous consent for the consideration of Senate Concurrent Resolution No. 12, without reference to committee. Unanimous consent granted.

Senate Concurrent Resolution No. 12—Relative to approving eleven certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 12, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C. Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Thubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 12 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Allen, N. M.: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23a of article IV, relating to the expenses of the Legislature.

Referred to Committee on Constitutional Amendments.

By Senator Wagy: Senate Bill No. 122—An act to require that certain employees of railroads be provided with watches.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 124—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 125—An act to amend section 51 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by



other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provision of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Allen, N. M.: Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities, and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Kline: Senate Bill No. 127—An act declaring the public highway extending from the city of El Centro to the city of Calexico in Imperial County to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 128—An act to add a new section, to be known as section 22½, to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to boundary lines of fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Ingram: Senate Bill No. 129—An act to provide proper sanitary conditions at railroad terminals for the preservation of the health of employees.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 130—An act to amend section 19x56 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of the probation officer in counties of the fifty-sixth class.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Swing: Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Young: Senate Bill No. 133—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 134—An act to add a new section, to be numbered 4235*m*, to the Political Code, relating to the sheriff's special fund.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 135—An act to add a new section, to be numbered 7*m*, to an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to a chief narcotic enforcement officer.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 136—An act to amend section 626*d* of the Penal Code, relating to the bag limit of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Swing: Senate Bill No. 137—An act to amend section 4300*s* of the Political Code, relating to witness fees.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tubbs: Senate Bill No. 138—An act to amend sections 1, 3, 4 and 7 of an act entitled "An act to provide a relief fund in the several counties or any city and county of the State for the needy blind, providing for and prescribing the powers and duties of boards of supervisors in every county or city and county," approved May 2, 1919, as amended, relating to duties of boards of supervisors and prescribing what persons are entitled to the benefits of said act and to add a new section to said act, to be numbered 10, relating to the cooperation of the State of California in relief funds.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 139—An act to add a new article to chapter IV of title V, part III of the Political Code, to be numbered 3a, embracing sections 2307 to 2312, inclusive, relating to a State Department for the Blind, and to repeal sections 2207, 2207a, 2207b, 2207c, 2207d, 2207e, 2207f, 2207g, 2207h, 2207i, 2207j and 2207k of the Political Code, relating to the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 140—An act to amend section 1618 of the Political Code, providing for the establishment and maintenance of separate classes in the elementary grades of the public schools for blind or partially blind children and for the conservation of sight of children with defective or diminished vision.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 141—An act to add two new sections to the Political Code, to be numbered 2261 and 2262, relating to establishment of kindergarten service for the blind and for vocational training in schools for the blind.

Bill read first time, and referred to Committee on Education.

By Senator Swing: Senate Bill No. 142—An act to amend section 39 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read first time, and referred to Committee on Irrigation.

By Senator Taylor: Senate Bill No. 143.—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Fellom: Senate Bill No. 144—An act making an appropriation to meet the deficiency in the appropriation for the repair of the State armory at San Francisco.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Cobb: Senate Bill No. 145—An act to amend the Political Code of the State of California by adding thereto a new section designated as 1666a, providing for the release of pupils from the public schools for the purpose of attending schools of religious instruction.

Bill read first time, and referred to Committee on Education.



Also: Senate Bill No. 146—An act to amend the Political Code of the State of California by amending subdivision fifth, section 1858 thereof, relating to the computation of time for a full day's attendance of pupils in elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 147—An act to amend the Political Code of the State of California by amending section 1672 thereof, relating to sectarian books and teachings in the public schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senators Inman and Lyon: Senate Bill No. 149—An act to amend section 190 of the Penal Code, relating to murder in the second degree.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Allen, J. M.: Senate Bill No. 150—An act declaring the present highway from Malin on the Oregon state line and leading therefrom via Lookout and Bieber to Susanville, California, to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Gray: Senate Bill No. 151—An act to add a new section to the Political Code, to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Slater: Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Senator West (by request): Senate Bill No. 153—An act making an appropriation of \$39,200.25 to pay the claim of Antoinette O'Brien against the State of California, and prescribing the duties of the Controller and the Treasurer of State in relation thereto.

Bill read first time, and referred to Committee on Finance.

By Senator West: Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 155—An act to amend section 274 of the Code of Civil Procedure, relating to fees of court reporters. Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 156—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to acceptance of fees from applicants.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 157—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, defining certain terms used in said act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 158—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code, consisting of sections 350 to 350*x*, both inclusive, all relating to the transfer of stock in corporations and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 160—An act to amend section 542 of the Code of Civil Procedure, relating to attachments of real and personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 161—An act creating a Commission on Uniform State Laws, and prescribing the powers and duties thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Weller: Senate Bill No. 162—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 163—An act to amend section 1191 of the Code of Civil Procedure, relating to liens upon land for public improvements.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 164—An act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 145, relating to the expenses of judges of the superior courts.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 165—An act to amend section 653*u* of the Civil Code, relating to nonprofit cooperative corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 166—An act to amend section 653*p* of the Civil Code, relating to nonprofit cooperative agricultural, viticultural and horticultural associations.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 167—An act to amend section 1687 of the Political Code, relating to salaries of teachers in elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 168—An act to amend sections 653*ff*, 653*kk*, and 653*jj* of the Civil Code, relating to nonprofit cooperative associations with or without capital stock.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 169—An act to add a new section to be numbered 6*c* to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to assuming of obligation of guarantor by transportation companies.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 170—An act to amend section 6 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the



supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to mortgages and liens on property of transportation companies.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 174—An act to add a new section to be numbered 7½ to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, conferring jurisdiction upon the Railroad Commission to award reparation against transportation companies.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 172—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 174—An act to add a new section to be numbered 2a to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof, and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the definition of employment agencies.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Crowley: Senate Bill No. 175—An act to amend sections 2, 3, 4, powers and duties of the board, 11 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 20, 1905, as amended March 21, 1907, April 21, 1909, and May 27, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Inman: Senate Bill No. 177—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 178—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 179—An act to add a new section to be numbered 19*h* to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to statistics.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 180—An act to amend section 1578 of the Code of Civil Procedure, relating to the manner of obtaining authority to mortgage or execute a deed of trust of the property of estate of decedents or of persons under guardianship.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 181—An act to amend section 412 of the Political Code, to be numbered 1607*b*, relating to liability on the part of an appropriation to pay the salaries of said appointees, not otherwise provided for during the seventy-ninth and eightieth fiscal years.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 182—An act to add a new section to the Political Code, to be numbered 1607*b*, relating to liability on the part of school districts, and to provide for insurance against such liability.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 183—An act to add a new section to the Political Code to be numbered 1607*f*, relating to the powers and duties of boards of trustees and city boards of education and authorizing such boards to establish, equip and maintain buildings to house employees of the school district.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 184—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time and referred to Committee on County Government.

By Senator Jones, H. C.: Senate Bill No. 185—An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of pre-delinquent, psychopathic and maladjusted children.

Bill read first time, and referred to Committee on Education.

By Senator Nelson: Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 187—An act to amend section 628*f* of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 188—An act to amend section 456 of the Political Code relating to employees in the office of the State Treasurer and fixing their salaries.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Bill No. 189—An act to add a new section to an act entitled "An act to define trust and to provide for criminal penalties and civil damages, and punishment of corporations, persons, firms, and associations, or persons connected with them, and to promote free competition in commerce and all classes of business in this State," approved March 25, 1907, to be numbered section 1*½*, relating to trusts and combinations in restraint of trade or commerce.

Bill read first time, and referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:



## ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 17, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 7—Approving nine certain amendments to the charter of the city of Alhambra, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Alhambra at a special municipal election held therein on the second day of November, 1926—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LYON, Chairman.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVEN.

Senator Evans asked unanimous consent for the consideration of Senate Concurrent Resolution No. 7, without reference to committee. Unanimous consent granted.

Senate Concurrent Resolution No. 7—Approving nine certain amendments to the charter of the city of Alhambra, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Alhambra at a special municipal election held therein on the second day of November, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—32.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 7 ordered transmitted to the Assembly.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 2—An act relative to approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara upon a special municipal election held therein on the sixteenth day of November, 1926—has had the same under consideration, and respectfully reports the same back, and recommends that the same be adopted.

LYON, Chairman.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Senator Hollister asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 2, without reference to committee. Unanimous consent granted.

Assembly Concurrent Resolution No. 2—Relative to approving the charter of the city of Santa Barbara, State of California, voted for and ratified by the qualified electors of said city of Santa Barbara upon a special municipal election held therein on the sixteenth day of November, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 2 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Hurley: Senate Bill No. 190—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 191—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

RECESS.

On motion of Senator Breed, at eleven o'clock and forty minutes a.m., the President of the Senate declared recess until eleven o'clock and forty-five minutes a.m.

RECONVENED.

At eleven o'clock and forty-five minutes a.m., the Senate reconvened. Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 17, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 100—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 2, 1926—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

INMAN, Chairman.

## CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED.

Senator Inman asked for and was granted unanimous consent to take up for consideration Senate Bill No. 100.

## CASE OF URGENCY.

## RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 100:

## EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, January 17, 1927.

*To the Senate of the State of California.*

Senate Bill No. 100, making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 2, 1926, is, in my opinion, an urgency measure, and this bill is an emergency bill and I therefore recommend its passage.

Respectfully submitted.

C. C. YOUNG, Governor.

## RESOLUTION.

The following resolution was offered:

By Senator Breed:

*Resolved*, That Senate Bill No. 100 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Gray, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Taylor, Wagy, Weller, West, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 100.

## SECOND READING OF SENATE BILL NUMBER ONE HUNDRED.

Senate Bill No. 100—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 2, 1926.



Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Gray, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Taylor, Wagy, Weller, West, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 100 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Cobb, Crowley, Fellom, Gray, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Taylor, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Senate Bill No. 100 ordered transmitted to the Assembly.

ADJOURNMENT.

At twelve o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Tuesday, January 18, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 17, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Grace S. Burrows of Fort Bragg, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. H. M. Crawford of San Anselmo, and Mrs. E. G. Stetson and Merian Stetson of San Rafael, California.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. F. Ross, district attorney from Redding, California, and C. A. Larkin, sergeant of the guard at Folsom Prison.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Charles Brennan, attorney from San Francisco, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to August Fritze of San Francisco, California.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Ora D. Strong.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. J. M. Kile of Stockton, California.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Everett W. Matton, Kemper B. Campbell and Thos. C. Ridgway, president of the State Bar Association.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. E. S. Birdsall, former State Senator from Auburn, California.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to T. P. Wittschen, attorney for the East Bay Municipal Utility District.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Edward Gilleran of San Francisco, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Geo. A. Nally of Healdsburg, California.

On request of Senator Christian, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Elizabeth Drendell of San Francisco, State president of American Legion Auxiliary, and Mrs. Lily Samuels of Oakland, past State president of the American Legion Auxiliary.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for the day was unanimously extended to H. C. Bottorff, city manager of Sacramento, E. G. Funke and Ray A. Powers, president of Veterans' Council.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 17, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 5—Approving amendments and additions to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the twenty-first day of December, 1926;

Also: Senate Concurrent Resolution No. 6—Approving five amendments to charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the electors of said city at the special municipal election held therein on the second day of November, 1926;

Also: Senate Concurrent Resolution No. 8—Approving eleven certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the second day of November, 1926; And reports that the same have been correctly enrolled, and presented to the Governor on this seventeenth day of January, 1927, at 11 o'clock and 25 minutes a.m.

JONES, RAY, Chairman.

##### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 10, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Concurrent Resolution No. 4—Approving amendment to the charter of the county of San Bernardino, State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CHRISTIAN, Chairman.

##### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senator Swing asked unanimous consent for the consideration of Senate Concurrent Resolution No. 4, without reference to committee.

Unanimous consent granted.

Senate Concurrent Resolution No. 4—Approving amendment to the charter of the county of San Bernardino, State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.  
 NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 4 ordered transmitted to the Assembly.

##### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Weller: Senate Bill No. 192—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipali-



ties, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 193—An act to amend the Political Code, by adding thereto a new section, to be numbered 1894, relating to the sale of school supplies by one district to another.

Bill read first time, and referred to Committee on Education.

By Senator Taylor: Senate Bill No. 194—An act to amend section 4056b of the Political Code relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Wagy: Senate Bill No. 195—An act to amend section 422 of the Code of Civil Procedure, repealing sections 430, 431, 434, 443 and 444 of said code, and adding a new section thereto to be known as section 435, relating to pleadings in civil actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 196—An act declaring and establishing a State highway between Bakersfield and Mojave, in Kern County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Christian: Senate Bill No. 197—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purposes of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election.

Bill read first time, and referred to Committee on Elections.

By Senator Lyon: Senate Bill No. 198—An act to amend section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor, approved March 11, 1907, as amended:

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 199—An act to amend section 42 of the "California Vehicle Act," approved May 24, 1925, relating to identification of automobiles.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 200—An act to amend sections 1, 3 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 201—An act to provide for the regulation and use of aircraft in the State of California; to create a director of civil aeronautics, to define his powers and duties and to provide for the creation and organization of an aircraft department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 202—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*af* inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 203—An act to amend sections 4, 5, 7, 35 and 41 of an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, exclusion of public property and mode of assessing and levying special assessment taxes.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the District Courts of Appeal.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Johnson: Senate Bill No. 205—An act to cure defects in maps or plats filed for record prior to January 15, 1927, and in deeds or conveyances referring to such maps.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senators Crowley and Weller: Senate Bill No. 206—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 207—An act to amend section 736*a* of the Political Code, relating to the salaries of the justices of the district courts of appeal.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 208—An act to amend section 737*v* of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Garrison: Senate Bill No. 209—An act to add a new section to be known as section 77*a* to the "Public Utilities Act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 210—An act to amend section 29 of the "Public Utilities Act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 211—An act to amend section 32 of the "Public Utilities Act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 212—An act to add a new section to the Code of Civil Procedure, to be numbered 1770*a*, relating to the management of the estate of an incompetent ward, and to expenditures that may be made therefrom.

Bill read first time, and referred to Committee on Judiciary.

By Senator Maloney: Senate Bill No. 213—An act to promote the safety of employees and travelers upon railroads by regulating the number of cars in trains.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 214—An act limiting the hours on duty of employees and members of paid fire departments of any county, city and county, city, town, district, or other political subdivision of the State; fixing the length of weekly leaves of absence and yearly vacation without loss of pay, and repealing all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Johnson: Senate Bill No. 215—An act to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to assessment.

Bill read first time, and referred to Committee on Roads and Highways.



Also: Senate Bill No. 216—An act to amend section 3817 of the Political Code, relating to the redemption of property sold to the State for nonpayment of taxes.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boggs: Senate Bill No. 217—An act appropriating money to be expended by and under the direction of the Reclamation Board for the purpose of acquiring rights of way, easements or land required for the purpose of controlling the floods, removing the debris and continuing the improvement of the Sacramento, San Joaquin and Feather rivers of the State of California.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 218—An act appropriating money to be expended by the Reclamation Board for general administrative purposes.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis Law" of California; to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 220—An act to amend section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 221—An act to amend section 307 of the Civil Code, excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 222—An act declaring a certain public highway extending from Clements in San Joaquin to Ione in Amador County to be a State highway and providing for the construction of the same.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Jones, H. C.: Senate Bill No. 223—An act appropriating money to pay the extra compensation of judges or justices sitting in courts, by direction of the chairman of the Judicial Council, wherein the compensation of the judges or justices is greater than their own, during the period November 2, 1926, to June 30, 1927, inclusive, and prescribing the manner of payment thereof.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 224—An act appropriating money to pay the necessary expenses for travel, board, and lodging incurred by judges and justices sitting in the Supreme Court and the district courts of appeal, by direction of the chairman of the Judicial Council, for the period November 2, 1926, to June 30, 1927, inclusive.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 225—An act appropriating money for the support and maintenance of the Judicial Council for the period November 2, 1926, to June 30, 1927, inclusive.

Bill read first time, and referred to Committee on Finance.

By Senator McKinley: Senate Bill No. 226—An act to amend section 4200*n* of the Political Code, relating to coroners' fees.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 227—An act to amend section 4300*f* of the Political Code, relating to jurors' fees.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 228—An act to amend section 4143 of the Political Code, relating to duties of the coroner.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 229—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration and burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 231—An act to amend section 1511*b* and 1514 of the Penal Code, relating to duty of jurors at coroners' inquests.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 232—An act to amend section 294 of the Penal Code relating to custody of dead bodies.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend.

Bill read first time, and referred to Committee on County Government.

By Senator West: Senate Bill No. 234—An act to amend an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualify applicants, with the designation of certified public accounts; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, by amending sections 2 and 3; by repealing sections 3*a*, 4 and 5; and by adding thereto new sections to be numbered 4, 5, 6, 7, 8, 9, 10, 11 and 12, relating to issuance of certificates; suspension of certificates and violations thereof.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Evans: Senate Bill No. 235—An act to add a new section to the Penal Code to be numbered 95*a*, relating to offenses against justice.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Kline: Senate Bill No. 236—An act to add a new section to the Political Code, to be numbered section 737*r*, relating to the salaries of the judges of the superior courts of the county of Riverside.

Bill read first time, and referred to Committee on Governmental Efficiency.



By Senator Boggs: Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 238—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of real estate commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the state commissioner thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 240—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions

of this act," approved May 27, 1919, relating to the licensing of real estate brokers and salesmen.

Bill read first time, and referred to Committee on Judiciary.

By Senator Allen, J. M.: Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason to taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended excepting certain counties from the provisions thereof.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 243—An act to amend section 3065 of the Civil Code and to add sections 3065*a*, 3065*b*, 3065*c*, 3065*d*, 3065*e*, 3065*f*, 3065*g*, 3065*h*, 3065*i*, 3065*j*, 3065*k*, 3065*l*, 3065*m*, 3065*n*, 3065*o*, 3065*p*, 3065*q* and 3065*r*, to said code, all relating to liens of laborers on sawlogs, spars, piles, cordwood, shingle boats, lumber and other timber.

Bill read first time, and referred to Committee on Judiciary.

By Senator Garrison: Senate Bill No. 244—An act to amend section 2 and 22½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved May 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts one and four and one-half.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 245—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Swing: Senate Bill No. 246—An act to amend section 2322*r*47 of the Political Code relating to the salary of the horticultural commissioner in counties of the forty-seventh class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; provided not less than three printed copies of such code or codes, in book form, have been filed with the clerk.

Bill read first time, and referred to Committee on County Government.

By Senator Inman: Senate Bill No. 248—An act to add a new section to the Code of Civil Procedure, to be numbered 953*d*, relating to notices of entry of judgments and orders.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 249—An act to amend section 1875 of the Code of Civil Procedure, relating to judicial notice.

Bill read first time, and referred to Committee on Judiciary.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 10—Approving the charter of the county of Alameda, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the second day of November, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. ERB, Assistant Clerk.

Senate Concurrent Resolution No. 10 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 4—Relating to the purchase of flags for the legislative chambers;

Also: Assembly Concurrent Resolution No. 7 Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SEVEN.

Senator Breed asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 7, without reference to committee. Unanimous consent granted.

#### ASSEMBLY CONCURRENT RESOLUTION No. 7.

Relating to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of article IV of the constitution of the State of California requires that, after the Legislature has been in session for a period not exceeding thirty days, a recess must be taken by both houses for a period of not less than thirty days; therefore, be it

*Resolved by the Assembly, the Senate concurring,* That the forty-seventh session of the Legislature of the State of California shall adjourn for said recess at twelve o'clock noon on Friday, January 21, 1927, and shall reassemble at the hour of twelve o'clock noon on Wednesday, February 23, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—40.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 7 ordered transmitted to the Assembly.



## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FOUR.

Senator Inman asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 4, without reference to committee. Unanimous consent granted.

## ASSEMBLY CONCURRENT RESOLUTION No. 4.

Relating to the purchase of flags for the legislative chambers.

WHEREAS, The flags of the United States and the bear flags hanging behind the desks of the Speaker of the Assembly and the President of the Senate should be replaced with new flags; therefore, be it

*Resolved by the Assembly, the Senate concurring.* That the Superintendent of Capitol Buildings and Grounds of the Department of Finance be directed to procure two American flags and two bear flags to replace the flags now hanging behind the desks of the Speaker of the Assembly and the President of the Senate; and be it further

*Resolved,* That one-half of the cost of such flags shall be paid from the contingent fund of the Assembly and the remaining one-half shall be paid from the contingent fund of the Senate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 4 ordered transmitted to the Assembly.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 7—Approving nine certain amendments to the charter of the city of Alhambra, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Alhambra at a special municipal election held therein on the second day of November, 1926;

Also: Senate Concurrent Resolution No. 9—Relative to reports of the department encampment of the Grand Army of the Republic.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Concurrent Resolutions Nos. 7 and 9 ordered to enrollment.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Inman: Senate Bill No. 250—An act to amend section 669 of the Penal Code, relating to terms of imprisonment.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 251—An act to amend section 2982 of the Political Code, relating to the secretary and the assistant secretary of the State Board of Health.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 252—An act to amend section 3465 of the Political Code, relating to swamp and overflowed salt marsh and tide lands.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 253—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 254—An act to amend sections 2145, 2153a, 2187, 2189, 2090 and 2191 of the Political Code, relating to Department of Institutions.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Baker: Senate Bill No. 255—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Cobb: Senate Bill No. 256—An act to amend section 330a of the Penal Code, relating to gambling devices.

Bill read first time, and referred to Committee on Public Morals.

By Senator Handy: Senate Bill No. 257—An act to add a new section to the Penal Code to be numbered 626½, relating to the protection of growing crops from water fowl.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Murphy: Senate Bill No. 258—An act to add a new section to be numbered section 63½, to the Public Utilities Act, approved April 23, 1915, as amended, relating to increase in rates.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Gray: Senate Bill No. 259—An act to add a new section to the Political Code to be numbered 629b, relating to group life insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 260—An act to add a new section to the Civil Code to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 261—An act to amend section 629a of the Political Code, relating to group life insurance and valuation thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 262—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to be numbered 14½ to article XIII of said constitution, relating to the taxation of foreign insurance corporations.

Referred to Committee on Constitutional Amendments.

By Senator Mueller: Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article XII, relating to the Railroad Commission.

Referred to Committee on Constitutional Amendments.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons be stricken from the list of Senate Attaches, and their names be stricken from the pay roll of the Senate:

John Crotty, Assistant Sergeant-at-Arms	\$5 00 per day
Donald J. Bruce, Assistant Sergeant-at-Arms	5 00 per day
W. J. Ferguson, Assistant Sergeant-at-Arms	5 00 per day
Peter Hollings, Assistant Sergeant-at-Arms	5 00 per day
T. Lafayette, Assistant Sergeant-at-Arms	5 00 per day
Matt Nankervis, Assistant Sergeant-at-Arms	5 00 per day
Frank McCarthy, Assistant Sergeant-at-Arms	5 00 per day
Max Richman, Assistant Sergeant-at-Arms	5 00 per day
John E. Reynolds, Assistant Sergeant-at-Arms	5 00 per day
J. A. Roberts, Assistant Sergeant-at-Arms	5 00 per day
W. J. Whenton, Assistant Sergeant-at-Arms	5 00 per day

Resolution read, and on motion of Senator Crowley adopted.

#### RECESS.

On motion of Senator Breed, at eleven o'clock and fifty-five minutes a.m., the President of the Senate declared recess until twelve o'clock and five minutes p.m.

#### RECONVENED.

At twelve o'clock and five minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Evans: Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof.

Bill read first time, and referred to Committee on Conservation.



By Senator Christian: Senate Bill No. 264—An act to amend section 4232a of the Political Code, relating to the compensation of jurors in counties of the third class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 265—An act to add a new section to the Code of Civil Procedure, to be numbered 559½, relating to writs of attachment.

Bill read first time, and referred to Committee on Judiciary.

By Senator Weller: Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 267—An act to amend section 3052 of the Civil Code providing for the sale of property by a lien holder, notice of sale and disposition of the proceeds.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 268—An act to amend section 3051a of the Civil Code providing for the limitation on amount recoverable where written notice not given.

Bill read first time, and referred to Committee on Judiciary.

By Senators McKinley and Pedrotti: Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof.

Bill read first time, and referred to Committee on Governmental Efficiency.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

##### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 233—An act appropriating money to pay the extra compensation of judges or justices sitting in courts, by direction of the chairman of the Judicial Council, wherein the compensation of the judges or justices is greater than their own, during the period November 2, 1926, to June 30, 1927, inclusive, and prescribing the manner of payment thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

INMAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 224—An act appropriating money to pay the necessary expenses for travel, board, and lodging incurred by judges and justices sitting in the Supreme Court and the district courts of appeal, by direction of the Chairman of the Judicial Council,

for the period November 2, 1926, to June 30, 1927, inclusive—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

INMAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 225—An act appropriating money for the support and maintenance of the Judicial Council for the period November 2, 1926, to June 30, 1927, inclusive—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

INMAN, Chairman.

CONSIDERATION OF SENATE BILLS NUMBERS TWO HUNDRED TWENTY-THREE,  
TWO HUNDRED TWENTY-FOUR AND TWO HUNDRED TWENTY-FIVE.

Senator Jones, H. C., asked for and was granted unanimous consent to take up for consideration Senate Bills Nos. 223, 224 and 225.

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Senate Bills Nos. 223, 224 and 225:

*To the Senate and Assembly of the State of California,  
Sacramento, California.*

Senate Bills Nos. 223, 224 and 225, make appropriations for the expenses of the Judicial Council, for the State's share of additional salaries of judges transferred by order of the Judicial Council, and the necessary expenses of the judges so transferred.

The constitutional amendment creating the Judicial Council became effective immediately after its adoption in November, 1926. The Judicial Council is now functioning in accordance with the powers fixed by that amendment.

In my opinion the appropriations necessary for the expenses of such operation during the remainder of the seventy-eighth fiscal year constitute an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of these bills as emergency measures.

Respectfully submitted.

C. C. YOUNG, Governor.

RESOLUTION.

The following resolution was offered:

By Senator Jones, H. C.:

*Resolved*, That Senate Bill No. 223 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breen, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West 35.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 223.

## SECOND READING OF SENATE BILL NUMBER TWO HUNDRED TWENTY-THREE.

Senate Bill No. 223—An act appropriating money to pay the extra compensation of judges or justices sitting in courts, by direction of the chairman of the Judicial Council, wherein the compensation of the judges or justices is greater than their own, during the period November 2, 1926, to June 30, 1927, inclusive, and prescribing the manner of payment thereof.

Bill read second time, considered engrossed, and ordered on file for third reading.

## URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—37.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 223 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and Young—36.

NOES—Senator West—1.

Title read and approved.

Senate Bill No. 223 ordered transmitted to the Assembly.

## RESOLUTION.

The following resolution was offered:

By Senator Jones, H. C.:

*Resolved*, That Senate Bill No. 224 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.

NOES—None.



Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 224.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED TWENTY-FOUR.

Senate Bill No. 224—An act appropriating money to pay the necessary expenses for travel, board, and lodging incurred by judges and justices sitting in the Supreme Court and the District Courts of Appeal, by direction of the chairman of the Judicial Council, for the period November 2, 1926, to June 30, 1927, inclusive.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 224 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Senate Bill No. 224 ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Jones, H. C.:

*Resolved*, That Senate Bill No. 225 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 225.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED TWENTY-FIVE.

Senate Bill No. 225—An act appropriating money for the support and maintenance of the Judicial Council for the period November 2, 1926, to June 30, 1927, inclusive.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 225 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—37.

NOES—West—1.

Title read and approved.

Senate Bill No. 225 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Crowley: Senate Bill No. 270—An act to provide for disability compensation under certain conditions to persons who have been employed by the State for not less than thirty years.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 271—An act to amend section 2 of "The State Medical Practice Act," approved June 2, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senators Maloney and Crowley: Senate Bill No. 272—An act to prohibit the railroads in the State of California from collecting the surcharge or surtax on Pullman sleepers and chair car fares within the State.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Lyon: Senate Bill No. 273—An act to add a new section, to be numbered 956a, to the Code of Civil Procedure, relating to remedial powers of the appellate courts.

Bill read first time, and referred to Committee on Judiciary.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 10—Approving the charter of the county of Alameda, State of California, which was submitted to the qualified electors of the said county and voted for and ratified by them at a general election held therein on the second day of November, 1926—and reports that the same has been correctly enrolled, and presented to the Governor on the eighteenth day of January, 1927, at 12 o'clock and 10 minutes p.m.

JONES, RAY, Chairman.

#### APPOINTMENT BY PRESIDENT.

Pursuant to the provisions of Senate Concurrent Resolution No. 3, the President announced that he had appointed Senator West as a committee of one to meet with a committee of the Assembly to investigate the advisability of installing electric voting machines in the two houses of the Legislature.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 11—Approving a certain amendment to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at the general municipal election, held therein on the twelfth day of April, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. C. LYNCH, Assistant Clerk.

Senate Concurrent Resolution No. 11 ordered to enrollment.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 11—Approving a certain amendment to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at the general municipal election, held therein on the twelfth day of April, 1926—and reports that the same has been correctly enrolled, and presented to the Governor on the eighteenth day of January, 1927, at 12 o'clock and 10 minutes p.m.

JONES, RAY, Chairman.

#### ADJOURNMENT.

At twelve o'clock and fifty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.



## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, January 19, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagye, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 18, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Swing was, on motion of Senator Fellom, granted leave of absence for the day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to J. Allen Davis of the Automobile Club of Southern California and C. C. Cottrell of the California State Automobile Association.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Jeffry J. Prendergast, former Assemblyman from the Fifty-eighth Assembly District.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to W. J. Pluckett, attorney for the State Board of Harbor Commissioners.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the students of the eighth grade and teacher from the McKinley School as follows:

Vannie Manno, Bessie Aievali, Charlotte Yee, Lena Salarno, Mary Rowe, Caroline Barry, Ralph Vanacore, Lena Glaviano, Maxine Springer, Eleanor Larsen, Joe Stassi, Robert Wong, David Hing, Charles Terry, Tony Glero, and Clarence Griggs, and teacher, Mrs. Ida Worth.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to H. G. Sanford of San Francisco, California, and Hon. Charles Kasch of Ukiah, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Rex L. Boyer and Leroy Krom of Martinez, California.

On request of Senators West and Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Harry Prelifer of Oakland.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following members of the Oakdale Union High School Scholarship Society and their advisor, Mrs. Alma A. Weigart: From Knight's Ferry—Marjorie Sisson. Oakdale—Myra Bacher, Chandler Bandy, Philip Berry, William B Jorge, Evelyn Bright, Murial Chatfield, Bernice Coffey, Margaret Ellerson, Myra French, Don Goolsby, Dan Gilbert, Ruth Gilbert, Margaret Hagedorn, Olga Martella, Ralph Maxwell, Lois Overman, Fay Pattee, Effie Redding, John Robbins, Madlyn Rydberg, Jewell Stanley, Nellie Stude, Burton Vasche, Mary Washburn, Robert Washburn. Riverbank—Florence Bahlmann, Myrtle Bahlmann, Clarence Benish, Hazel Glines, Clyde Johnson, Charles Monk, Edith Wishart. Roberts Ferry—Helen Hawkins, Dorothy Ketcham, Zelda Ketcham. Valley Home—Philip Angell, Louise Schuller. Waterford—Leolla Butler, Vera Quick, Ruth Riddle, Rosa Walker, Avisia Kingston, Zella Shepherd.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Dan E. Kilroy and Attorney G. B. Kyelin.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Howard A. Pears and J. A. Nimans.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. P. Andrews of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Frank M. Burris, J. Ford, Joseph Keechen and N. Maffer.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

#### BUDGET MESSAGE OF C. C. YOUNG, GOVERNOR OF CALIFORNIA.

##### *To the Members of the Senate and Assembly.*

The budget herewith presented has been prepared in accordance with section 34 of article IV of the State constitution, which reads in part as follows:

"The Governor shall, within the first thirty days of each regular session of the Legislature, and prior to its recess, submit to the Legislature, with an explanatory message, a budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing law or recommended by him, and of all its institutions, departments, boards, bureaus, commissions, officers, employees, and other agencies, and of all estimated revenues, for each fiscal year of the ensuing biennial period; together with a comparison, as to each item of revenues and expenditures, with the actual revenues and expenditures for the first fiscal year of the existing biennial period and the actual and estimated revenues and expenditures for the second fiscal year thereof.

"If the proposed expenditures for the ensuing biennial period shall exceed the estimated revenues therefor, the Governor shall recommend the sources from which the additional revenue shall be provided. The Governor, and also the Governor-elect, shall have the power to require any institution, department, board, bureau, commission, officer, employee, or other agency to furnish

him with any information which he may deem necessary in connection with the budget or to assist in its preparation. The budget shall be accompanied by an appropriation bill covering the proposed expenditures, to be known as the budget bill."

I have quoted fully these budget provisions of the constitution in order to show how the budget is prepared and what it should contain. The fact that these provisions have not been carried out in former budgets compels us, in conformity with the purpose of the constitution, to strike out along new lines and to incorporate into this budget features which have been wanting in those which have preceded.

#### A COMPLETE BUDGET.

In the first place it will be noted that the constitution requires the Governor to submit a complete plan of "all proposed expenditures of the state provided by existing law or recommended by him." The budget submitted in 1923 purported to total less than \$79,000,000 for the ensuing biennium, although the actual total State expenditures for that biennium exceeded \$142,900,000. The budget of 1925 was announced as totaling \$103,430,000, as against an actual total of more than \$180,000,000. That it should not have been difficult to determine what these totals really were is evidenced by the fact that the figure of \$179,000,000 was announced nearly a year and a half ago, at the beginning of the present biennium period, both by the State Controller and by myself—a figure which was afterward raised to \$180,000,000. Notwithstanding this fact, owing to its incomplete presentation this \$180,000,000 budget has, during the past six months, been quoted as of varying amounts ranging all the way from \$44,000,000 to \$104,000,000.

#### ITEMS NOT SUBJECT TO BUDGET.

By frankly including in the budget every State expenditure, all possible grounds of future budget controversy will be removed, the budget requirements of the constitution will be satisfied, and the people of the State will have a complete knowledge of the cost of every department, institution, or activity of their government. The only agencies which can not be included are those which, though established and conducted under State law, do not receive or expend State funds. Such agencies are the State Compensation Insurance Fund, the Public School Teachers' Retirement Salary Fund, the Veterans' Welfare Board, the State Land Settlement Board, the State Reclamation Board, the State Board of Accountancy, and the Board of Pilot Commissioners for San Francisco.

After consultation with the Attorney General in one specific case, it is my opinion, and the opinion of the fiscal officers of the State, that the funds and boards named above should not be included in the budget as connected with State expenditures, since they can not be included in the budget bill as beneficiaries of State appropriations. However, in order that the financial operations of these independent activities may be made known, they are reported in an appendix to the budget herewith submitted, except for the Land Settlement Board and the Board of Pilot Commissioners, which are omitted for the reasons explained in the appendix.

There has been one item inserted by error in both previous budgets—namely, the Division of Printing, which expends only such money as is supplied to it by the various departments, boards, and commissions. The actual expenditure of this money is reflected as one of the expenditures of each of the departments concerned, and the inclusion in former budgets of these same expenditures under the head of Division of Printing is an obvious duplication.

Accordingly the second presentation of these expenditures is omitted from the present budget, both for this biennium, and, in comparative statements, for the preceding biennial periods. A statement of the financial operations of the Division of Printing, including the estimated figures for the coming biennium, is also reported in the appendix to this budget.

#### WHAT THE BUDGET CONTAINS.

Aside from the items mentioned above as not properly subject to a budget, the budget herewith submitted contains all State expenditures of every kind, irrespective of the agency through which they are made or the sources from which their revenues are secured. For instance, the budget contains large sums for schools, highways, orphan aid, tuberculosis subsidies, and the like, expended in accordance with State law, not by the State directly but through the agency of the counties. All these are properly held by the Controller to be State expenditures.

The money from which all State expenditures are made comes from a variety of sources. Much of it is derived from taxes on public utility corporations, which, in consideration of their contribution toward State support, pay no local county or city taxes on their operative property. Much comes from franchise taxes, inheritance taxes, and the like, contributed by those who also pay local taxes. Much comes in the form of fees, licenses, or special taxes, such as automobile licenses, fish and game licenses, gasoline taxes, harbor revenues, corporation and real estate department fees, and similar sources, the revenue in each case fully sustaining one of the twenty-five or more so-called self-supporting activities of the State. A small part comes from revenues produced from State hospitals, agricultural boards, prisons, commissions and other like activities; while the remainder is secured from



federal allotments to our highways and schools. Your attention is directed to section 12, article XIII, of the constitution adopted November 4, 1924, providing for the levy of an annual educational poll tax. The Legislature has not provided for the levy or collection of this tax. For that reason no prospective revenue from this source is estimated to accrue in the budget figures herewith presented to you. The expenditure of money borrowed through bond issues is reflected in the budget only as it is repaid in the form of interest or principal, since this constitutes the only actual State expenditure involved.

The only point here to be stressed is that the budget contains every expenditure of the State, no matter how the money to meet that expenditure is secured. In this way every citizen on examining the budget may get a complete picture of our entire State expenses for every institution, department, or activity of any kind. They are all State expenditures, whatever the agency which spends the money or whatever the source from which the bills are paid.

#### THE BUDGET BILL.

In conformity with the constitutional requirement, this budget is accompanied by a general appropriation bill, known as the "budget bill." My conviction is that the constitution intends that this budget bill shall be so proposed as to reflect exactly the recommendations of the budget. Accordingly, you will find that every provision of this budget appears in the accompanying budget bill, excepting those items of fixed charges and recurrent appropriations now specifically covered by existing constitutional or statutory enactments.

Certain changes of language, to clarify the budget bill in the light of past experience, have been incorporated after consultation with the State Controller and the Attorney General. I believe that in all these respects the present budget bill will be found a great improvement over any other budget bill heretofore submitted.

#### SPECIAL APPROPRIATION BILLS.

The constitution clearly contemplates that, as far as possible, every State expenditure shall be included in the budget. Such a procedure would do away with a vast number of special appropriation bills which in the past have contributed so much toward slowing down legislation. For instance, at the last session a hundred of these special appropriation bills were signed, many of which might properly have been given a place in the budget.

In the present budget will be found provisions for the San Joaquin Valley deep water channel, for the completion of the John Muir Trail, for the purchase of land for the State Fair Grounds and for other institutions, and for many similar purposes which have previously been the subjects of special appropriation bills. If any have been inadvertently omitted, it is suggested that they be included by the Board of Control as budget amendments, rather than presented as special acts. In this way we can help to reduce materially the number of bills before the Legislature.

There are bound to be certain appropriations, however, which can not be included in the budget. Among these in the payment of claims, which affect, not the ensuing biennium and its budget, but the present or past bienniums. Neither should increases of statutory salaries nor the compensation of additional statutory officers or employees be included until such increases or additions have been provided by new legislation. Nor can the budget include appropriations for the launching of new projects and policies, such as the expenses of proposed commissions and the like, until you have given to such projects legislative authorization. All other expenditures, I believe, were intended by the constitution to be included within the budget and budget bill. In being thus included they are in no respect removed from the power of the Legislature, since that body has exactly the same relation to the budget bill and its amendments as it has to every other appropriation bill.

#### TOTAL STATE EXPENDITURES.

As will be noted from an examination of the budget herewith submitted, the total State expenditures for next biennium are estimated at \$193,518,165.09. This sum has been arrived at after numerous conferences with the heads of all the institutions and departments of the State—conferences which resulted in reducing the figures submitted to the previous Board of Control by somewhat more than \$10,000,000. As will be noted also, the increase of expenditures of this budget over the last is far smaller than any other increase during the past twelve years, as well as probably the smallest percentage of increase in the history of the State.

During the course of the present legislative session, I shall possibly suggest certain amendments to the budget bill submitted at this time. For instance, after solving our main highway problems it may be thought wise to make an appropriation for prison road camps. Partially offsetting this, however, would be a reduction in the maintenance cost of the prisons; so that the actual budget figures will not be materially increased.

#### OUR INCREASING EXPENDITURES.

Notwithstanding the comparatively small increase in expenditures for the next biennium we can not shut our eyes to the fact that State expenditures during the last decade have grown very rapidly. This growth may be seen by tracing during the past twelve years the total expenditures for each biennium, together with

the increase and percentage of increase from one biennium to the next. The figures for the first three of these bienniums are taken from the State Controller's table, "Showing State Expenditures for the Past Fifteen Years." The figures for the last three bienniums are identical with those in the body of this report, and have been compiled by the State Board of Control in consultation with the Controller. They may be easily traced by an examination of the following table:

GROWTH OF STATE EXPENDITURES FOR TWELVE-YEAR PERIOD.

Fiscal years of bienniums	Date limits of bienniums	Total expenditures of bienniums	Increase over previous biennium	Percentage of increase over previous biennium
69th and 70th	1917-1919	\$61,122,962.32		
71st and 72nd	1919-1921	79,687,495.03	\$18,564,532.71	30.3%
73rd and 74th	1921-1923	115,448,943.27	35,761,448.24	44.8%
75th and 76th	1923-1925	142,915,833.44	27,466,890.17	23.8%
77th and 78th	1925-1927	180,189,054.40	37,273,220.96	26.0%
79th and 80th	1927-1929	193,518,165.09	13,329,110.69	7.4%

As will be noted the percentage of increase for this biennium over last is 7.4 per cent, as compared with 23.8 per cent, the lowest percentage prior to this time during our twelve-year period. This percentage of increase, for the first time in many years, has been held down to the approximate percentage of the State's growth in population. I need not say that it will be the policy of this administration to continue holding down these increases to the lowest possible figure. It is of course inevitable that expenses must grow with a growing state, but we must exercise constant care that not a dollar is spent which does not bring back one hundred cents worth of efficient service or of absolutely necessary permanent improvements. This is the kind of sound economy that the public demands.

## OTHER BUDGET COMPARISONS.

The present constitutional budget provisions have been in effect for the past two biennial periods. For this reason I have presented to you certain comparative tables covering the entire experience under the budget system. You will find among these a comparative table for the periods 1923-1925, 1925-1927, and 1927-1929, reflecting State revenues of every kind, from every source—the first such presentation which has ever been made. Another feature of the table of revenues reflects the disposition of these, indicating which go into the State's general fund and which go into "special funds" dedicated to certain specified uses.

Expenditures of all departments, for all purposes, during the same periods, are likewise presented for the first time. You are invited to make careful comparisons of these expenditures during the three bienniums for each agency or activity in which you are particularly interested.

## ANALYSIS OF SURPLUS.

From the report of the State Controller to Governor Richardson, under date of December 14, 1926, I quote the following:

"The general fund surplus will approximate \$15,000,000 as of June 30, 1927.

\* \* \* In the event a \$5,500,000 appropriation for highway construction, authorized at the last legislative session, is unexpended, the present surplus will be augmented to that extent.

"An analysis of the surplus indicates that it is transitory in character and will be absorbed by increased fixed charges and normal departmental expansion within the next four years. \* \* \*

"The budget for the seventy-ninth and eightieth fiscal years will reduce the general fund surplus to \$10,000,000 as a minimum, without taking into consideration special appropriations for road construction or other items commonly provided for at each legislative session."

The Controller in his report properly characterizes this surplus as one which "is transitory in character and will be absorbed by increased fixed charges and normal departmental expansion within the next four years." This period of four years must elapse before we can hope to modify our tax system, should a constitutional change in that system be found necessary. On the basis of the Controller's forecast that the absolutely fixed and unavoidable increases in governmental expense will inevitably absorb our surplus within four years, it is very evident that we must conserve this surplus and make it last as long as possible by the most rigid economy in every direction.

## SOURCE OF PRESENT SURPLUS.

It is interesting to note how it has come to pass that we have so large a surplus at this time. This is clearly shown by the same report of the State Controller to Governor Richardson. On his point the Controller says:

"On June 30, 1923, there was a general fund surplus of \$4,707,522.11. \* \* \* During the past two years \$11,500,000 has been paid into the general fund by railroad companies to cover the impounded taxes as a result of the King tax bill litigation. It is to be observed that the sum so received, plus the surplus on hand as of June 30, 1923, is substantially the present general fund surplus."

In other words, the present surplus, instead of being an accumulation of the past four years, in large part was actually inherited from the earlier administration, either in the form of cash or of impounded money from a suit instituted in 1921. This is an unusual situation which can not be expected to occur a second time. It is therefore imperative that some modification be made in our existing tax system before the accumulated excess of future irreducible expenditures over corresponding future revenues shall have entirely wiped out our surplus now in the treasury.

#### NECESSITY FOR STUDY OF TAX SYSTEM.

In pointing out these facts I am in no wise assailing our present tax system. In my opinion it is incomparably better than the old system which it supplanted sixteen years ago. The last legislation produced by the present system under the form of the King tax bill—a bill which not only equalized the burden of taxation, but which has also saved the State from an ad valorem tax. If the King tax bill had not been enacted, instead of a surplus we should now be faced with the necessity of levying upon all property owners to meet a \$25,000,000 deficit accruing within the past six years.

The only thing to be determined by an investigation of our tax system is whether we can continue to raise the necessary revenues for our growing State by periodic new "King tax bills," or whether we must make some modification of or addition to our present system. To determine this, I trust that the Legislature will authorize the appointment of a tax commission to make a careful study of the entire situation.

#### CONCLUSION.

The budget which I am here presenting has been prepared under my personal supervision, but it would have been impossible to present it so early in the session had its details not been worked out with an immense amount of labor by the members and accountants of the present Board of Control. To them I wish to express my appreciation for their long hours of faithful service. And to you, the members of the Legislature, I herewith submit these results of our work, confident that each of you will cooperate with me in helping to make this budget a pledge to the people of California that you and I propose to unite in giving to them everything they can possibly desire in the way of an economical and businesslike administration.

Respectfully submitted.

C. C. YOUNG, Governor of California.

January 19, 1927.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bill was introduced:

By Senator Inman: Senate Bill No. 274—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read first time, and referred to Committee on Finance.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 4—Approving amendment to the charter of the county of San Bernardino, State of California.

ARTHUR A. OHNIMUS, Chief Clerk.  
By E. C. LYNCH, Assistant Clerk.

Senate Concurrent Resolution No. 4 ordered to enrollment.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 12—Relative to approving eleven certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 12, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. EBB, Assistant Clerk.

Senate Concurrent Resolution No. 12 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 3—Relating to the appointment of a committee to investigate the matter of providing a new residence for the governor of California:

Also: Assembly Concurrent Resolution No. 9—Approving the charter of the city of Porterville, State of California, ratified by the qualified electors of said city at a special election held therein on the fifth day of October, 1926:

Also: Assembly Concurrent Resolution No. 10—Relative to investigation by the Legislature of the natural and artificial water and resting places for migratory water fowl and wild life and to propose formation of certain game preserves.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 3 referred to Committee on Finance.

Assembly Concurrent Resolution No. 9 referred to Committee on Municipal Corporations.

Assembly Concurrent Resolution No. 10 referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 2—Relating to the time when members elected to Congress shall take their seats.

ARTHUR A. OHNIMUS, Chief Clerk.  
By E. C. LYNCH, Assistant Clerk.

Assembly Joint Resolution No. 2 ordered to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 104—An act to amend an act entitled "An act providing for the organization of water districts by the boards of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer

of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended, by amending the title thereof and section 7 thereof, relating to the powers of the board of directors of water districts and declaring the same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. EBB, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED FOUR.

Senator Kline asked for and was granted unanimous consent to take up for consideration Assembly Bill No. 104, without reference to committee.

#### CASE OF URGENCY.

The following resolution was offered:

By Senator Kline:

*Resolved*, That Assembly Bill No. 104 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Weller, West, and Young—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Assembly Bill No. 104.

#### SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED FOUR.

Assembly Bill No. 104—An act to amend an act entitled "An act to provide for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the state superintendent of banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the

dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended, by amending the title thereof and section 7 thereof, relating to the powers of the board of directors of water districts and declaring the same an urgency measure.

Bill read second time, considered engrossed, and ordered on file for third reading.

#### URGENCY CLAUSE.

The Legislature hereby declares that it deems it necessary for the immediate preservation of the public health and safety that this act shall go into immediate effect by reason of the following facts, to wit:

That certain water districts have been organized within the boundaries of certain irrigation districts but have been unable to secure water except from said irrigation districts and that said districts are unable to raise the funds necessary to construct distributing systems without the aid of said irrigation districts; that unless said distributing system is constructed without delay and water furnished to said lands, the effect will be to greatly damage a large area of land within the boundaries of the irrigation districts which will imperil the property and safety of the landowners therein; that no funds can be made available except as provided in this act for the purpose of cooperation between said irrigation districts and said water districts, but that through the means provided in this act the moneys will be available to complete said work and to enable water to be made available for the irrigation of said lands, and it is hereby declared that this act constitutes an urgency measure which under the provisions of section 1 of article IV of the constitution of the State of California shall be put into immediate effect.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 104 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Assembly Bill No. 104 ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senators Slater, Handy, Nelson and Swing: Senate Joint Resolution No. 2—Relative to the policy of caring for the Indians of California by the expenditure of federal appropriations through State agencies.

#### CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER TWO.

Senator Slater asked unanimous consent for the consideration of Senate Joint Resolution No. 2, without reference to committee.

Unanimous consent granted.



## SENATE JOINT RESOLUTION No. 2.

Relative to the policy of caring for the Indians of California by the expenditure of federal appropriations through State agencies.

WHEREAS, There is now pending in Congress of the United States a bill known as the Swing-Johnson bill, numbered 8821 in the House of Representatives, providing that funds appropriated for the care and relief of the Indians of California under the direction of the Secretary of the Interior shall be expended through certain public agencies of the State of California; and

WHEREAS, The California State Board of Health, State Department of Education and the State Department of Public Welfare are excellently equipped to handle such federal appropriations and administer the relief which they are designed to accomplish for the Indians of California; and

WHEREAS, The health, economic welfare and education of the Indians of California is a matter in which the people of this State have a growing concern; now, therefore, be it

*Resolved by the Senate and Assembly, jointly.* That the Legislature of the State of California does hereby heartily endorse the principles embodied in said Swing-Johnson bill pending before the Congress of the United States and believes that the best interests of the Indians of California will be served by its speedy enactment; be it further

*Resolved.* That copies of this resolution be forwarded to the chairman of the Committee on Indian Affairs of the House of Representatives, chairman of the Committee on Indian Affairs of the United States Senate and to the Secretary of the Interior of the United States, as well as to each of the Senators and Representatives in Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, McKinley, Murphy, Sharkey, Slater, Taylor, Tubbs, Wag, West, and Young—29.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 2 ordered transmitted to the Assembly.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator McKinley: Senate Bill No. 275—An act to add a new section to the Code of Civil Procedure to be numbered section 1381 and relating to who shall be deemed a party of interest in the matter of estates of deceased persons, incompetent persons and minors, and making the same an urgency measure.

## CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FIVE.

Senator McKinley asked for and was granted unanimous consent to take up for consideration Senate Bill No. 275, without reference to committee:

## CASE OF URGENCY.

The following resolution was offered:

By Senator McKinley:

*Resolved.* That Senate Bill No. 275 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 275.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FIVE.

Senate Bill No. 275—An act to add a new section to the Code of Civil Procedure, to be numbered section 1381, and relating to who shall be deemed a party of interest in the matter of estates of deceased persons, incompetent persons and minors, and making the same an urgency measure.

URGENCY CLAUSE.

The following is a statement of the facts constituting such necessity:

There are many hundred mentally incompetent persons, wards of this State, for whom guardians of the estate have been appointed to receive, prudently expend and conserve the compensation, pension, insurance or other allowance paid to them or for their use and benefit by the government of the United States, which also bears towards them the relation of parent, guardian and friend. Yet, under the existing law neither the State of California nor the government of the United States, nor any officer or agency of either, has any right or power to appear or to intervene in the proceedings pending in the courts which have jurisdiction of such guardians, for the purpose of aiding such courts in enforcing the due performance of the obligations of the guardians or in otherwise protecting the wards, there being in this State no relatives of or parties interested in such wards who have the power or capacity to appear or intervene in such proceedings for such purposes or at all. In many of such cases the time for the examination and approval or disapproval of the annual account of the guardian is due or overdue and said account will of necessity be heard and passed upon by the court without the aid or assistance of any relative or other party interested in the ward, unless this act takes effect immediately. The departments, bureaus and agencies of the government of the United States mentioned or referred to in the foregoing section are fully equipped adequately so to aid and assist said courts and to conserve the interests of the wards and will do so as soon as this act takes effect. That many of such wards have been and are being victimized and mulcted of the substance of their estates by designing persons who have gained power and influence over such wards and have thereby procured themselves to be appointed such guardians. In the majority of such cases the opportunity to curb such defalcations and to recoup from the wrongdoer and his bondsmen the loss already sustained will have passed, if this act does not take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 275 passed by the following vote:

AYES—Senators, Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Senate Bill No. 275 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senators Allen, N. M., and McKinley: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

Referred to Committee on Constitutional Amendments.

By Senator Allen, N. M.: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to section 22 of article XII of the constitution of the State of California, relative to election of the Railroad Commission.

Referred to Committee on Constitutional Amendments.

By Senator Johnson: Senate Constitutional Amendment No. 7—Relative to salaries of justices of the Supreme Court, of the district courts of appeal and of the judges of the superior courts. A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 17 of article VI thereof, relating to the salaries of Justices of the Supreme Court, of the district courts of appeal and of the judges of the superior courts.

Referred to Committee on Constitutional Amendments.

By Senator Baker: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 19 of article VI thereof, relating to powers of judges in charging juries.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof,



relating to rights of persons accused of crime and the taking of depositions in criminal cases.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 1, 3, and 4 of article X thereof, relating to the State Board of Prison Directors.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 4 of article VI thereof, relating to jurisdiction of and divisions of supreme and appellate courts.

Referred to Committee on Constitutional Amendments.

By Senator West: Senate Concurrent Resolution No. 13—Authorizing and directing the Attorney General of the State of California to furnish to the Legislature of the State an itemized statement of the moneys expended in the Aimee Semple McPherson case, and to suggest procedure for minimizing the expenditure of such money in the prosecution of criminal cases, limiting the amount to be used without authorization by the board of supervisors of the county in which such prosecution is to take place.

Resolution referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 276—An act to add a new section to the Political Code, to be numbered section 4056c, relating to the power of boards of supervisors to establish and maintain public airports within their respective counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 277—An act to amend an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof and for the districting, governing and municipal control of such annexed territory," approved June 11, 1913, as amended, by amending section 9 of said act to provide for the preservation of the status of special improvement proceedings.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect

thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 279—An act to amend the Political Code by adding a new section thereto, to be numbered section 4056*d*, relating to the construction, repair and maintenance by counties of sewerage systems and sewage disposal plants.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 280—An act to amend section 4300*f* of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 281—An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended and to add a new section thereto to be known as section 8*h*.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Allen, N. M.: Senate Bill No. 282—An act to provide for duties of tax collectors of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 283—An act to provide for duties of engineers of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 284—An act to amend section 4214 of the Political Code, relating to the duties of surveyors of counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 285—An act to amend section 4126 of the Political Code, relating to the duties of tax collectors.

Bill read first time, and referred to Committee on County Government.

By Senator Christian: Senate Bill No. 286—An act to amend section 2168 of the Political Code, relating to insane persons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Weller: Senate Bill No. 287—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for

the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the granting of certificates of public convenience and necessity to foreign corporations.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Christian: Senate Bill No. 288—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 289—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nelson: Senate Bill No. 290—An act to amend section 20 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, subcessions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter 589 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' " approved June 3, 1921, and all amendments thereto, and adding a new section to be numbered section 6½.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also Senate Bill No. 291—An act to amend section 729 of the Code of Civil Procedure, relating to the oath and undertaking of commissioner, report and account of sale and compensation of commissioner on foreclosure proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 292—An act to amend section 308 of the Civil Code.

Bill read first time, and referred to Committee on Corporations.

By Senator Sharkey: Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 295—An act to prohibit any person or common carrier by railroad moving any fixed signal, switch or switch light for the purpose of what is commonly known as test of employees, to define



fixed signals, and providing penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Lyon: Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district benefited of the cost or a portion of the cost of the separation of the crossing of a railroad or street railroad by a street, highway or public way and for the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited, lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality; and providing for the payment of a portion of the expenses for such improvement by counties or municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 297—An act to amend sections 7 and 9 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Boggs: Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 299—An act to amend sections 1817, 1830, 1836, 1838 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 301—An act to amend sections 11 and 12 of an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein."

Bill read first time, and referred to Committee on Education.

By Senator Lyon: Senate Bill No. 302—An act to amend the title and sections 2, 3, 4, 9 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or

convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 303—An act authorizing municipalities to declare any accumulation of stagnant water, manure, garbage, offal, rubbish, or filthy or offensive matter of any kind upon private property within municipalities to be a public nuisance and creating a lien upon the property upon which such nuisance exists for the cost of abating the same.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 304—An act authorizing municipal corporations to expend money for advertising or publicity purposes.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 305—An act to amend section 22 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judge, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the payment of the salaries of the judges and other attaches of municipal courts and to the providing of quarters, furniture, books and supplies for such courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator West: Senate Bill No. 306—An act to amend section 14 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 307—An act to regulate public charities, requiring public charities to report to the State Department of Finance, to make annual reports to said State Department of Finance, authorizing the said Department of Finance to maintain an action in the name of the people of the State or by relator for the purpose of correcting abuses in the management of public charitable trusts and constituting the failure to file such reports a misdemeanor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Senator Crowley: Senate Bill No. 308—An act to amend section 2 of the State Medical Practice Act, relating to subjects of examination

for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Maloney: Senate Bill No. 309—An act to amend section 2 of an act entitled "An act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Crowley: Senate Bill No. 310—An act to amend the State Medical Practice Act, approved June 2, 1913, as amended, by adding thereto a new section known as section 11a, relating to the recognition of a certificate of examination issued by the National Board of Medical Examiners of the United States.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 311—An act to amend section 24 of the State Medical Practice Act, relating to penalties, fines or forfeitures of bail for violations of any provisions of the State Medical Practice Act, approved June 2, 1913, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Maloney: Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Lyon: Senate Bill No. 313—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Crowley: Senate Bill No. 314—An act appropriating money to pay the claim of P. H. Kerrigan against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.



By Senator Cobb: Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, and by amending section 57 thereof, relating to the compensation of directors and other officers.

Bill read first time, and referred to Committee on Irrigation.

By Senator Handy: Senate Bill No. 317—An act to amend sections 1 and 2 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor."

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State and making an appropriation to pay the salaries of said appointees, not otherwise provided for during the seventy-ninth and eightieth fiscal years.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Slater: Senate Bill No. 319—An act to establish a division of school planning in the State Department of Education and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 320—An act providing for the distribution of any money appropriated by the State of California for the encouragement of county and district fairs.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senators Slater, Handy, Nelson and Swing: Senate Bill No. 321—An act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of California to the extent that the cost of such services shall be provided for by the Congress of the United States through federal appropriations.

Bill read first time, and referred to Committee on Education.

By Senator Young: Senate Bill No. 322—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, as amended, by adding thereto a new section, to be numbered 15b, which section relates to the furnishing of bonds by certain officers and employees of building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 223—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642*b*, relating to the investment of moneys with building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Senator Weller: Senate Bill No. 324—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and the creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18*b* thereof, relating to inclusion of territory by municipalities.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 325—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 328—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission

Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to crossings of roads, highways and railroads by railroads or street railroads at grades, the separation of grades at such crossings, and the apportionment of the cost of the construction, reconstruction, alteration or relocation of such crossings and separations of grade and relating to proceedings in eminent domain before the Railroad Commission of the State of California in connection with the separation of grades at any such crossing or in connection with the construction, alteration or relocation of elevated tracks or subways for any railroad or street railroad over or under any public road, street, highway, or private right of way, or of any public road, street, or highway over or under the tracks of any railroad corporation or street railroad corporation.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Canepa: Senate Bill No. 329—An act to amend an act entitled "An act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," (approved April 7, 1911), by adding a new section thereto, to be numbered 10½, relating to alternative plans and specifications and procedure to be followed in relation thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 330—An act to amend section 10 of an act entitled "Improvement Act of 1911."

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 331—An act to add a new section to the Penal Code, to be numbered section 634½a, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Taylor: Senate Bill No. 332—An act to amend section 7 of an act entitled "An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violations of the provisions thereof, and repealing all acts and parts of acts in conflict therewith," approved May 28, 1917, relating to licenses.

Bill read first time, and referred to Committee on Fish and Game.



By Senator Kline: Senate Bill No. 333—An act to amend section 4244 of the Political Code, relating to fee of officers in counties of the fifteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Taylor: Senate Bill No. 334—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909, as amended, relating to licenses.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 335—An act to repeal section 3 of an act entitled "An act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909, as amended, relating to licenses.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 336—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony to the Pomona-La Verne-Claremont Sewer District, for the purpose of a right of way for sewer pipes.

Bill read first time, and referred to Committee on Finance.

By Senator Fellom: Senate Bill No. 337—An act to amend section 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees," approved April 7, 1911, as amended, relating to nomination papers.

Bill read first time, and referred to Committee on Elections.

By Senator Johnson: Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 339—An act to amend the Civil Code of the State of California by adding a new section to be numbered 637a, relating to offenses committed by officers, directors, agents, or employees of building and loan associations and prescribing penalties for the violations of the provisions of the act.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 340—An act to amend the Penal Code by adding a new section to be known as section 563*c*, thereto, relating to offenses against or concerning building and loan associations and prescribing penalties for violation of the provisions of this act.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Senator Gray: Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the waterfront of San Francisco, California," approved April 30, 1919.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Fellom: Senate Bill No. 342—An act requiring certain reports to be made concerning children with impaired hearing.

Bill read first time, and referred to Committee on Education.

By Senator Canepa: Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Ingram: Senate Bill No. 344—An act to amend section 4268 of the Political Code, and to add a new section thereto to be numbered 4268*a*, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen, J. M.: Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Senator McKinley: Senate Bill No. 346—An act to amend section 2713 of the Political Code, relating to the construction and repair of bridges.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 347—An act to amend section 2646 of the Political Code, relating to the maintenance and repair of county highways.

Bill read first time, and referred to Committee on County Government.

By Senator Boggs: Senate Bill No. 348—An act to establish standards for field crop products and related agricultural products, providing for the sampling, grading, inspection and certification thereof, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing penalties for violation of the provisions

hereof, making an appropriation to carry out the provisions of this act, establishing the field crops inspection fund and repealing the California Grain Standardization Act, approved June 3, 1921.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Weller: Senate Bill No. 349—An act to add a new chapter, to be numbered chapter 11a, embracing section 2980, to division III, part I, title XIV of the Civil Code, relating to conditional sales.

Bill read first time, and referred to Committee on Judiciary.

By Senator West: Senate Bill No. 350—An act to amend section 739 of the Political Code, relating to salaries of officers of the Supreme Court.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 351—An act to regulate public charities, requiring public charities to report to the State Board of Control, to make annual reports to said State Board of Control, authorizing the said Board of Control to maintain an action in the name of the people of the State of California, or by relator, for the purpose of correcting abuses in the management of public charitable trusts and constituting the failure to file such reports a misdemeanor.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Senator Johnson: Senate Bill No. 352—An act to amend section 365c of the Political Code, relating to powers of the State Highway Commission.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Baker: Senate Bill No. 353—An act to amend section 539 of the Code of Civil Procedure, relative to undertaking on attachment.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hollister: Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock.

Bill read first time, and referred to Committee on Judiciary.

By Senator Johnson: Senate Bill No. 355—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to State for delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Lyon: Senate Bill No. 356—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for fish and game preservation, propagation and protection.

Bill read first time, and referred to Committee on Fish and Game.



Also: Senate Bill No. 357—An act to regulate the sale and issuance of hunting and fishing licenses to hunt, take, pursue, or kill, wild birds or mammals, or to take, catch, or kill, game fishes for purposes other than sale or profit to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a method for the issuance of such licenses; defining resident and nonresident licenses; prohibiting the sale or issuance of any hunting license to any alien; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Garrison: Senate Bill No. 358—An act to amend section 41 of the California Irrigation District Act, approved March 31, 1897, relating to notice that assessments are due and penalties for delinquency.

Bill read first time, and referred to Committee on Irrigation.

By Senators Young and Tubbs: Senate Bill No. 359—An act to establish institutions for the confinement, treatment and rehabilitation of narcotic addicts; to provide for the government and maintenance thereof; to provide for commitment and admission to such institutions; to provide penalties for violations of any of the provisions of this act; to provide a fund for the establishment and maintenance of such institutions, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Garrison: Senate Bill No. 360—An act to amend the "California Water Storage District Act," approved June 3, 1921, as amended, by amending the title to said act and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 34, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19a, and relating to the reapportionment of assessments in case of the subdivision of lands by adding nineteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q and 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators to act as owners of title or evidence of title.

Bill read first time, and referred to Committee on Irrigation.

By Senator Baker: Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 363—An act to enforce the attendance of witnesses in felony cases in another state or territory of the United States, and providing penalty for failure to comply with Governor's subpoena issued for attendance of such witness.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 366—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail bonds.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 367—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 368—An act to amend section 1288 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 369—An act to amend section 1288a of the Penal Code, relating to bail bonds, providing that bail bonds shall constitute lien on property, and providing for the filing of notice with the county recorder, the justification of sureties on bonds, and for subsequent release of lien by the court.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 370—An act to amend section 1280 of the Penal Code, and to repeal section 1280b of the Penal Code, relating to bail bonds and justification of sureties thereon.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 371—An act to add a new section to the Penal Code, to be numbered 1275, relating to bail bonds.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 373—An act to amend section 1203 of the Penal Code, relating to the granting of probation after conviction in criminal cases and permitting the pleading of said conviction where the defendant is prosecuted for a subsequent offense.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 374—An act to amend section 1191 of the Penal Code, relating to time for pronouncing judgment in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 375—An act to amend section 1181 of the Penal Code, relating to the grounds upon which new trials may be granted and providing for modification of verdicts in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 376—An act to amend section 1180 of the Penal Code, relating to the effect of an order granting a new trial in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 378—An act to amend section 1156 of the Penal Code, relating to special verdict in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 379—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 380—An act to amend section 1123 of the Penal Code, relating to alternate jurors.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.



Also: Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code, to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 383—An act to amend sections 1070, 1089 and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 387—An act to amend sections 1016, 1017 and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 389—An act to amend sections 1006 and 1011 of the Penal Code, relating to demurrers in criminal cases and effect of overruling thereof.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 390—An act to amend section 995 of the Penal Code and to add a new section to the Penal Code, to be numbered 995a, relating to indictments and informations.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 391—An act to add a new section to the Penal Code, to be numbered 969a, relating to pleading prior convictions in indictments or informations and providing for the filing of supplemental information charging prior conviction which may have been omitted in original indictment or information.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 392—An act to amend section 960 of the Penal Code, relating to the sufficiency of indictment, information or complaint in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 393—An act to amend section 959 of the Penal Code, relating to the sufficiency of indictments, informations, and complaints.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 394—An act to amend sections 954 and 956 of the Penal Code, relating to pleadings and form of indictment, information, or complaint in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 395—An act to amend section 952 of the Penal Code, relating to pleadings and form of indictment or information.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 396—An act to amend section 951 of the Penal Code, relating to the form of indictment or information in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 397—An act to repeal sections 941 and 942 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 398—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing transcripts of testimony and delivery of copy thereof to defendant.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 400—An act to amend section 861 of the Penal Code, relating to the time within which preliminary examinations must be completed.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 401—An act to amend section 859 of the Penal Code, relating to the postponement of preliminary examinations for the purpose of obtaining counsel.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 402—An act to amend section 825 of the Penal Code, relating to the time within which a defendant must be taken before a magistrate.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 403—An act to amend section 809 of the Penal Code, relating to the filing of informations in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 404—An act to add a new section to the Penal Code to be numbered 681*b*, relating to punishment for criminal offenses.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 405—An act to add a new section to the Penal Code, to be numbered 681*a*, relating to trials in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 406—An act to amend 669 of the Penal Code, relating to the punishment of persons convicted of two or more offenses.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 407—An act to amend section 668 of the Penal Code, relating to added punishment of criminals because of prior convictions outside of this state.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489 and 490 of the Penal Code, and to add a new section to



the Penal Code, to be numbered 490*a*, defining the crime of theft and prescribing punishment therefor.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 410—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered 1256, and to repeal sections 1247, 1247*a*, 1247*b*, 1247*c* and 1247*d* of the Penal Code, relating to appeals in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 411—An act to amend section 969 of the Penal Code, relating to pleading of prior convictions in indictments or information.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 413: An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 415—An act to amend section 165 of the Penal Code, relating to bribery of public officials.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 418—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 419—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 420—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 421—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 422—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 423—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 424—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 425—An act to amend section-----of the Penal Code, relating to-----.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senators Canepa, Tubbs, Maloney, Fellom, Gray, Crowley, and Murphy: Senate Bill No. 426—An act to amend section 2526a of the Political Code, relating to the powers of the Board of State Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Jones, H. C.: Senate Concurrent Resolution No. 14—Approving a charter of the town of Santa Clara, ratified by the qualified voters of said town at a special municipal election held therein on the fifth day of April, 1926.

Resolution read.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOURTEEN.

Senator Jones, H. C., asked unanimous consent for the consideration of Senate Concurrent Resolution No. 14, without reference to committee.

Unanimous consent granted.

Senate Concurrent Resolution No. 14—Approving a charter of the town of Santa Clara, ratified by the qualified voters of said town at a special municipal election held therein on the fifth day of April, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Christian, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, McKinley, Mueller, Pedrotti, Sharkey, Slater, Taylor, Waggy, Weller, and Young—24.  
NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 14 ordered transmitted to the Assembly.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 12—Approving the charter of the city of Inglewood, State of California, voted for and ratified by the qualified voters of the said city of Inglewood, upon a special municipal election held therein on the fourteenth day of December, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWELVE.

Senator Lyon asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 12, without reference to committee.

Unanimous consent granted.

Assembly Concurrent Resolution No. 12—Approving the charter of the city of Inglewood, State of California, voted for and ratified by the qualified voters of the said city of Inglewood, upon a special municipal election held therein on the fourteenth day of December, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, McKinley, Mueller, Pedrotti, Sharkey, Slater, Taylor, Waggy, Weller, and Young—25.  
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 12 ordered transmitted to the Assembly.



## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 11—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. ERB, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ELEVEN.

Senator Breed asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 11, without reference to committee.

Unanimous consent granted.

Assembly Concurrent Resolution No. 11—Relative to amendments to the charter of the city of Berkeley, after due ratification by the qualified electors of said city at a city election properly held.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Wagv, Weller, and Young—27.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 11 ordered transmitted to the Assembly.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, January 19, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 142—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; noes—0.

GARRISON, Chairman.

Senate Bill No. 142 ordered on second reading file.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Jones, H. C.: Senate Bill No. 427—An act to authorize the Governor to appoint a commission to prepare the plans and to select the site for a separate penal institution for women offenders.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to age of majority.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 429—An act to repeal sections 635*a*, 635*b*, 635*c*, 635*d*, 635*e*, 635*f*, 635*g*, 635*h*, 635*i*, 635*j*, 635*k* and 635*l* of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein."

Bill read first time, and referred to Committee on Education.

By Senator Murphy: Senate Bill No. 431—An act to create a Bureau of Inspection and to regulate the same and to provide for the monthly inspection of steering gears, running gears and brakes, and electrical apparatus of all vehicles employed in intrastate traffic, and to provide a penalty for violating such regulations as shall be imposed by such bureau.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Taylor: Senate Bill No. 432—An act to amend sections 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Senator Jones, H. C.: Senate Bill No. 433—An act to amend section 634 of the Civil Code of the State of California, relating to the issuance of shares and investment certificates of building and loan associations and relating to the creation of a reserve fund; selection of directors and fees chargeable by such associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 434—An act to amend section 647 of the Civil Code of the State of California, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 435—An act to amend sections 2 and 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relating to the salaries and expenses of the Building and Loan Commission and the Building and Loan Inspection Fund.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 436—An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the Building and Loan Commissioner of the State of California in accordance with the provisions of title XVI, part IV, of the Civil Code, legal investments for certain purposes.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 437—An act to add a new section to the Code of Civil Procedure, to be numbered 1454a, relating to the collection of money by heirs.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 438—An act to amend section 641 of the Civil Code, relating to guarantee stock dividends and reserve fund of building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Senator Breed: Senate Bill No. 439—An act to create the State Park Commission; to define its powers and duties; to make an appropriation therefor and to establish a contingent fund and a revolving fund.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying of this survey.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State Park Bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of ten thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

Bill read first time, and referred to Committee on Governmental Efficiency.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 19, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 7—Approving nine certain amendments to the charter of the city of Alhambra, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Alhambra at a special municipal election held therein on the second day of November, 1926;

Also: Senate Concurrent Resolution No. 9—Relative to reports of the department encampment of the Grand Army of the Republic.



And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of January, 1927, at 12 o'clock and 30 minutes p.m.

JONES, RAY, Chairman.

#### ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Thursday, January 20, 1927.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, January 20, 1927.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—38.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 19, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVES OF ABSENCE.

Senator West was, on motion of Senator Christian, granted leave of absence for the day.

Senator Canepa was, on motion of Senator Crowley, granted leave of absence for the day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Nick Harris of Los Angeles, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. F. E. Manor of Williams, California.

On request of Senator Allen, N. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. J. A. Minans, a relative of one of the early pioneers of Los Angeles, California.

On request of Senator Luman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. James H. Smith and Miss Alice Smith of Tomah, Wisconsin.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. George R. Harrison of Sebastopol, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to W. H. Pawson, Jr.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. John Jordan, mayor of Carmel-by-the-Sea, California.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge H. D. Gregory and Mr. C. A. Belding, county clerk, both of Oroville, California.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. M. E. Dettmar, manager and secretary of the Lassen Volcanic National Park.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 142—An act to amend section 39 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read second time, ordered engrossed, and on file for third reading.

#### COMMUNICATION.

The following communication was received and, on motion of Senator Ingram, ordered printed in the Journal:

#### STATE OF CALIFORNIA

#### COMMISSIONER FOR CALIFORNIA

#### NEVADA TRANSCONTINENTAL HIGHWAYS EXPOSITION

January 18, 1927.

*Cora M. Woodbridge, Member of the Assembly,  
Sacramento, California.*

DEAR MRS. WOODBRIDGE: As you were one of those who took a prominent part in the introduction and passage of the act of the Legislature making provision for California's participation in the Nevada Transcontinental Highways Exposition, to be held at Reno, June 29 to August 5, 1927, I am pleased to inform you that the California building is completed, and is a credit to the architect and the builders. It is of Mission architecture.

Everything is moving nicely, applications for county exhibit space are coming in rapidly, and the exposition proper has gotten to the point where it is an assured success. Reno is going to give us a wonderful show, typical of the West and great out doors, and California will do her part, both as to exhibits of her wares, and also as to genuine hospitality toward the visitor.

Should the members of the Legislature desire to make the trip to Reno some time in the future, say during the second part of the session, I would be glad to make the necessary arrangements with the exposition management for the dedication of the California building and with the Reno people for their reception and entertainment.

Yours very truly,

W. A. SHEPARD,  
Commissioner for California.

## MOTION.

Senator Ingram moved, seconded by Senator Murphy, that the President of the Senate appoint a committee of five to meet with a like committee from the Assembly to arrange and select the date for dedicating the California building for the Nevada Transcontinental Highways Exposition at Reno, Nevada.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Slater: Senate Bill No. 442—An act to amend section 19*z*14 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Inman: Senate Bill No. 443—An act to amend sections 1, 3, 5, 6, 6*a*, 7, 8, 9, 11, 12 and 13 of and to add three new sections to be numbered 6*h*, 6*m* and 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 444—An act to amend section 3062 of the Political Code, relating to city health officials.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 445—An act to amend section 4225*a* of the Political Code, relating to county health authorities.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 446—An act to amend section 1618*a* of the Political Code, relating to health supervision of schools.

Bill read first time, and referred to Committee on Education.

By Senator Evans: Senate Bill No. 447—An act to add a new section to the Political Code, to be numbered 1608*b*, providing courses in forestry, the acquiring by school districts of necessary lands therefor outside such districts, the afforestation and reforestation thereof, and of public lands, and for transportation of pupils.

Bill read first time, and referred to Committee on Conservation.

Also: Senate Bill No. 448—An act to amend the title and section 1 of an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

Bill read first time, and referred to Committee on Judiciary.



Also: Senate Bill No. 449—An act to amend sections 4039 and 4076 of the Political Code, relating to claims against the county and records thereof.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 450—An act to amend section 1543a of the Political Code, relative to school warrants.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 451—An act to add a new section to the Political Code, to be numbered 1542, and to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

By Senators Evans and Weller: Senate Bill No. 452—An act to add a new section to the Penal Code, to be numbered 626t, relating to the manner and purpose of fish and game districts 20 and 20a.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Young: Senate Bill No. 453—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing, and to provide therefrom revenue for the propagation, restoration and preservation of fish in the waters of the State of California," approved March 13, 1909, as amended, relating to license fees.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 454—An act to amend section 628a, of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 455—An act to amend section 626m of the Penal Code, relating to fishing and hunting at night.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 456—An act to amend section 637½ of the Penal Code, relating to what are considered predatory animals.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 457—An act to amend sections 15 and 37 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 458—An act to amend an act entitled "An act to create a Fish and Game Preservation Fund and to unite the 'Fish Commission Fund' and the 'Game Preservation Fund' into a common fund to be known as the 'Fish and Game Preservation Fund'," approved March 15, 1909, as amended, by adding a new section thereto

to be numbered 4, creating a new fund, to be known as the "Game Bounty Fund."

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 459—An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 460—An act to amend section 628*b* of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 461—An act to encourage the destruction of predatory wild animals; to provide bounties for the killing thereof; making an appropriation for the payment of such bounties; providing a penalty for making a false affidavit under the provisions of this act, and repealing acts inconsistent herewith.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 462—An act to amend sections 5, 6 and 7 of an act entitled "An act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911, as amended, and adding a new section thereto to be known as section 11 $\frac{1}{2}$ .

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 463—An act to amend section 626*g* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 464—An act to amend section 631*e* of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 465—An act to amend section 626*k* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 466—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and 'anglers'," approved May 20, 1915, as amended.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 467—An act to amend section 636*a* of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Baker: Senate Bill No. 468—An act to amend section 2322.24, relating to the office of the horticultural commissioners in counties of the twenty-third class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 470—An act to amend section 1734*b* of the Political Code, relating to schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 471—An act to amend section 1723 of the Code of Civil Procedure, relating to the manner of giving notice of the hearing of petitions for administration of estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 472—An act to amend section 1163 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 473—An act to amend section 113 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nelson: Senate Bill No. 474—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Senator Pedrotti: Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator McKinley: Senate Bill No. 476—An act to amend section 1761 of the Code of Civil Procedure, relating to special notice of administration proceedings and demand thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 477—An act to amend section 542 of the Code of Civil Procedure of the State of California, relating to how real and personal property shall be attached.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 479—An act to amend section 1379 of the Code of Civil Procedure, relating to whom letters of administration may be granted.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 480—An act to amend section 1383 of the Code of Civil Procedure, relating to revocation of letters of administration.

Bill read first time, and referred to Committee on Judiciary.



Also: Senate Bill No. 481—An act to amend section 1369 of the Code of Civil Procedure, relating to whom letters of administration may be granted.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 482—An act to amend section 1365 of the Code of Civil Procedure, relating to order of administration.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 483—An act to amend section 411 of the Code of Civil Procedure of the State of California, relating to the service of summons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 484—An act to amend section 563a of the Penal Code, relating to false entries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 485—An act to add a new section to the Civil Code of the State of California, to be numbered 2290, relating to rights of banks purchasing other banking institutions.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 486—An act to add a new section to the Civil Code, to be numbered section 3265g, relating to the stopping of payment of checks.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 487—An act to add a new section to the Civil Code, to be numbered section 3321, relating to the measure of damages by the payment of a check which has been ordered stopped.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 488—An act to repeal section 321 of the Civil Code of the State of California, relating to books of banks which shall be open to inspection.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 489—An act to add a new section to the Civil Code, to be numbered section 3265f, relating to actions for paying checks after payment has been stopped.

Bill read first time, and referred to Committee on Banking.

By Senators Boggs, Nelson, Baker and Mueller: Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Crowley (by request): Senate Bill No. 491—An act to provide for the examination and licensing of plumbers, the construction, alteration and maintenance of the plumbing and drainage of buildings, in all parts of the State of California, including incorpor-

ated cities, counties, and cities and counties, and to provide the penalties for violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Handy: Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to headlights.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 493—An act to add a new section to the Political Code, to be numbered 1731a, relating to schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 494—An act to amend section 4267 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the thirty-eighth class and fixing the mileage and per diem of grand and trial jurors in such counties.

Bill read first time, and referred to Committee on County Government.

By Senator Rush: Senate Bill No. 495—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the First Agricultural District.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 496—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the Sixth Agricultural District.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Weller: Senate Bill No. 497—An act to amend section 1643 of the Code of Civil Procedure, relating to liens of judgments.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ingram: Senate Bill No. 498—An act to amend section 1 of an act entitled "An act declaring the public highway extending from Auburn in Placer County to the Sonora lateral at Sonora in Tuolumne County to be a State highway," approved June 3, 1921.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 499—An act to authorize the repayment of money paid or collected by error or mistake or under an unconstitutional law.

Bill read first time, and referred to Committee on Finance.

By Senator Weller: Senate Bill No. 500—An act to amend sections 983, 984 and 985 of the Code of Civil Procedure and to add nine new sections to said code, to be numbered, respectively, 986, 987, 988, 988a,

988*b*, 988*c*, 988*d*, 988*e*, 988*f*, 988*g* and 988*h*, relating to appeals from municipal courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 501—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 502—An act to add a new section to the Political Code, to be numbered 1733*b*, relating to high school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 504—An act to amend section 476*a* of the Penal Code, relating to the drawing and uttering of checks or drafts.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure

By Senators Allen, N. M., and McKinley: Senate Bill No. 505—An act to amend section 322 of the Civil Code, relating to the liability of stockholders.

Bill read first time, and referred to Committee on Judiciary.

By Senator Boggs: Senate Bill No. 506—An act to amend section 10½ of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds."

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 507—An act to amend section 2322.8 of the Political Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Breed: Senate Bill No. 508—An act appropriating money to pay the claim of Percy E. Towne and Peter A. Breen against the State of California.

Bill read first time, and referred to Committee on Finance.



Also: Senate Bill No. 509—An act to add a new section to the Political Code, to be numbered 1607*b*, relating to the powers and duties of governing boards of school districts.

Bill read first time, and referred to Committee on Education.

By Senator Allen, N. M.: Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or counties or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in carrying out of such acquisitions, work and improvements."

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Fellom: Senate Bill No. 511—An act to revise an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 512—An act to create a board to be known as the "State Fire Prevention Survey," providing for the appointment of said board by the Governor, prescribing the powers and duties of the members of said board, fixing their compensation, and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Murphy: Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life

insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 514—An act to amend sections 1 and 10, and to add two new sections to be numbered sections 3a, and 3b, to the Direct Primary Law, June 16, 1913, as amended, relating to presidential electors.

Bill read first time, and referred to Committee on Elections.

By Senator Boggs: Senate Bill No. 515—An act to amend sections 18 and 35 of an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Kline: Senate Bill No. 516—An act declaring a certain public road extending from Blythe, California, to the Colorado River to be a State highway and providing for the construction of the same.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 517—An act to be known as "San Jacinto Valley Conservation District Act," creating a consolidated irrigation, conservation, protection, reclamation and power district subject to the approval of the owners of property within the district, to be known as "San Jacinto Valley Conservation District," for the purpose of acquiring or taking over all the water rights and water system and properties of the Lake Hemet Water Company, a corporation, and/or of the stockholders or certificate holders thereof, of the Hemet Town Water Company, a corporation, and/or of the stockholders thereof, of the Fruitvale Mutual Water Company, a corporation, and/or of the stockholders thereof, of the Fairview Land and Water Company, a corporation, and/or of the stockholders thereof, or any of them, and of any other water rights and water systems; for conserving water; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable lands of the San Jacinto Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, protecting all the lands within the district and the water system from flood waters of the San Jacinto River and its tributaries, and for the protecting the watersheds from fire; and for developing and using electrical power and for selling any surplus

power, and for maintaining, improving, expanding and operating and governing the entire irrigation, conservation, protection, reclamation and electrical power systems through a single district organization; and for the issuance of bonds for any or all of the aforesaid purposes, and providing for the payment of all such indebtedness; providing for the leasing or selling such portions or all of the water rights, water system and electrical power system or any other property as the board of trustees of the San Jacinto Valley Conservation District deem advisable; providing also for an election to determine whether this district shall be organized and for the organization, management and control of the district through the board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments, and providing also a means for dissolving said district.

Bill read first time, and referred to Committee on Conservation.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 8—Relative to Joint Rules of Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

BREED, Chairman.

#### MOTION BY SENATOR BREED.

On motion of Senator Breed, Assembly Concurrent Resolution No. 8, containing the Joint Rules of the Senate and Assembly, was ordered printed in the Journal.

#### ASSEMBLY CONCURRENT RESOLUTION No. 8.

Relative to joint rules of Senate and Assembly.

*Resolved by the Assembly, the Senate concurring.* That the following be adopted as the joint rules of the two houses of the Legislature for its forty-seventh session:

#### JOINT RULES OF SENATE AND ASSEMBLY.

##### COMMITTEES AND COMMITTEE MEETINGS.

##### *Standing Committees.*

1. Subject to the right of either house to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each house:

- (1) Agriculture.
- (2) Banking.
- (3) Building and Loan Associations.
- (4) Civil Service.
- (5) Commerce and Navigation.
- (6) Conservation.
- (7) Corporations.
- (8) Constitutional Amendments.
- (9) County Government.
- (10) Drainage, Swamp and Overflowed Lands.
- (11) Education.
- (12) Elections.
- (13) Federal Relations.
- (14) Finance in the Senate and Ways and Means in the Assembly.
- (15) Fish and Game.
- (16) Hospitals and Asylums.
- (17) Insurance.
- (18) Irrigation.
- (19) Judiciary.
- (20) Labor and Capital.
- (21) Manufactures.



- (22) Military Affairs.
- (23) Mines and Mining.
- (24) Municipal Corporations.
- (25) Oil Industries.
- (26) Prisons and Reformatories.
- (27) Public Health and Quarantine.
- (28) Public Morals.
- (29) Public Utilities.
- (30) Revenue and Taxation.
- (31) Roads and Highways.
- (32) Rules.

#### *Joint Committees.*

2. Joint standing committees of Senate and Assembly shall be appointed as follows:

- (1) Committee on Revision and Printing, to consist of three (3) members from the Senate and five (5) from the Assembly.
- (2) Committee on Joint Rules, to consist of the members of the rules committee of each house.

#### *Joint Meeting of Committees.*

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

#### BILLS AND RESOLUTIONS.

##### *Scope of Word "Bill."*

4. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

##### *Joint and Concurrent Resolutions.*

5. Joint resolutions are those which relate to matters connected with the federal government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

##### *Resolutions Treated as Bills.*

6. Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills; except that they shall be read but one time in each house, and that they shall not be deemed bills within the meaning of section 2 of article IV of the constitution, and shall not be referred to the committee on introduction of bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

#### PREPARATION AND INTRODUCTION OF BILLS.

##### *Title of Bill.*

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

##### *Division of Bill Into Sections.*

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

##### *Changes from Existing Laws to be Marked by Author.*

9. In case of a bill amending a code section, or general law, all omissions must be shown by the insertion of heavy parentheses or brackets without including the omitted matter; all additions must be shown by underlining the new matter. When printed, the new matter so underlined shall be enclosed in heavy brackets in the printed bill and also heavy brackets shall be retained to show omissions.

##### *Committee on Revision and Printing to Examine Bills When Introduced.*

10. Unless otherwise ordered by the house in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing, which shall examine the bill, with the aid of the legislative counsel bureau. The committee, by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill; *provided*, that no bill which bears the stamp of the legislative counsel bureau showing that before introduction it has been examined as to form, shall be sent to the committee on revision and printing.

*NOTE.* The submission of bill copy to legislative counsel bureau for approval of form before introduction will expedite its course.

*Bills introduced to Indicate Changes in Existing Laws.*

11. The Committee on Revision and Printing shall see to it that rules 7 and 9 of these joint rules are observed by the author, and that the bill shall not be sent to the printer until the provisions of these rules have been carried out.

*Reports of Committee on Revision and Printing.*

12. The Committee on Revision and Printing shall return to the Secretary of the Senate or Chief Clerk of the Assembly all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

*Endorsement of Date of Introduction.*

13. Bills introduced in either house shall be endorsed with the date of introduction.

PRINTING AND DISTRIBUTION OF BILLS.

*Manner of Printing Bills, etc.*

14. The State Printer shall observe the following directions in printing all bills, constitutional amendments, joint and concurrent resolutions:

(a) The body of such bills and resolutions shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(b) All titles of bills, resolutions, etc., shall be set in italics, statute form, and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only; *provided, however*, that concurrent resolutions approving city or county or city and county charters or amendments thereto may be set in smaller type and without line numbers.

(d) Enrolled bills may be inclosed in stock cover.

*Printing of Amendments.*

15. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in type bearing a horizontal line through the center, and commonly known as "strike out" type. When a bill is amended in either house, the first or previous markings shall be omitted. When a bill amendatory of a code section is engrossed, all figures or symbols shall be removed.

*Distribution of Bills During Constitutional Recess.*

16. All requests for mailing or distribution by the members shall be filed with the Secretary of the Senate or Chief Clerk of the Assembly, who shall compile the same with the elimination of duplication as a general mailing list. The distribution of bills, constitutional amendments, joint and concurrent resolutions shall be systematized as follows: Members' desks and legislative officers' files, one hundred fifty full sets; to authors, fifty copies of their own bills; accredited newspaper representatives, twenty-five; to public and law libraries, newspapers, county officials, and other civic, commercial, fraternal or industrial organizations as the Secretary of the Senate and Chief Clerk of the Assembly may compile from the recommendations of the members of both houses, one thousand two hundred copies; to State officers, State Library and Secretary of State, two hundred copies; to legislative committees, bill room files and public requests confined to single copies of bills designated one thousand copies. The State Printer shall cause to be printed in the standard form adopted by the Senate and the Assembly as many copies of all bills, constitutional amendments and joint or concurrent resolutions as may be necessary to conform to the provisions of this rule.

A similar number and distribution shall be made of the Semi-final History and Final Calendar.

*Distribution of Bills After Constitutional Recess.*

17. Following the recess, new bills introduced shall be forwarded to the public libraries and law libraries only, and one copy each of amended bills as may be requested. Weekly Histories and Journals shall be distributed generally, following the recess, upon such schedule as the Secretary of the Senate and Chief Clerk of the Assembly may designate.

OTHER LEGISLATIVE PRINTING.

*Printing of the Daily Journal.*

18. The State Printer shall print one thousand copies of the Journal of each day's proceedings of each house; at the end of the session he shall also print a sufficient number of copies, properly paged after being corrected and indexed by the Secretary of the Senate and Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature as required by law.

*What Shall Be Printed in the Journal.*

19. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house, and the title and text of joint and concurrent resolutions and constitutional amendments when adopted by the house; *provided*, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial, or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a committee of the whole.

*Printing of the Daily File.*

20. A daily file of bills ready for consideration shall be printed each day for each house, and copies of the file of each house shall be distributed each day to all of the members of both houses.

*Printing of History.*

21. Each house shall cause to be printed on Monday of each week, during the session, a complete History of all bills, joint or concurrent resolutions and constitutional amendments originating in, or acted upon by the respective houses.

Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance.

For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the History shall be compiled and printed to date of recess.

*Authority for Printing Orders.*

22. The Superintendent of State Printing shall not print for use of either house any matter other than provided by law or by these rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessary requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

## RECORD OF BILLS.

*Secretary and Chief Clerk to Keep Register.*

23. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

*Secretary and Chief Clerk Shall Endorse Bills.*

24. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original bill a statement of any action taken by the Senate and Assembly.

## ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER.

*Bills Read and Referred to Committee.*

25. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or the Chief Clerk and referred to a standing committee by the presiding officer, unless otherwise ordered by the house.

*After a Bill Has Been Passed by the Senate or Assembly.*

26. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the house, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule.

*Special File.*

27. On the second day after the close of the recess provided for in section 2, article IV of the constitution, the Senate and Assembly shall each adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day in the Assembly and at two o'clock and thirty minutes p.m. of each day in the Senate and be considered at least one hour and a half after being so taken up unless its consideration shall be completed in a lesser period of time. This rule shall not be suspended in either house except by a three-fourths vote of such house.



## REPORTS FROM ONE HOUSE TO THE OTHER AS TO ACTION ON BILL.

*Bill or Resolution in One House, Rejected in the Other, Requires Notice.*

28. When a bill or resolution which shall have passed one house is rejected by the other, notice thereof shall be given immediately to the house in which the same shall have passed.

*Each House to Transmit Papers.*

29. Each house shall transmit to the other papers on which any bill or resolution shall be founded.

*Notices to be in Writing Under Proper Signatures.*

30. Notice of the action of either house to the other shall be in writing, and under the signature of the Secretary of the Senate or the Chief Clerk of the house from which such notice is to be conveyed.

*Secretary, Chief Clerk, etc., to Dispatch Messages.*

31. Messages shall be sent to the other house by an officer or attache to be designated by the Secretary, if it be a Senate message, or by the Chief Clerk, if it be an Assembly message.

*Messages Must be Announced by the Sergeant-at-Arms.*

32. When a message shall be sent from either house it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person by whom it may be sent.

## PASSAGE AND ENROLLING OF BILLS.

*Passage of Bills Taking Effect Immediately.*

33. Each house shall act in the usual course upon all bills that may be made to take effect immediately, under the provisions of section 1, article IV of the constitution.

*Passage of Urgency Provisions in Bills.*

34. Upon the third reading of an act which is an urgency measure within the meaning of section 1, article IV of the State constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall this section, setting forth the urgency features of this bill, be passed?" If upon such final vote two-thirds of all the members elected to the house in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill; but, in case an identical bill without such an emergency clause be again introduced into such house, such bill shall be placed on file without reference to any committee.

*Passage of Bills Preceding Final Adjournment.*

35. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment sine die of the two houses of the Legislature, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the presiding officer thereof.

*Enrollment of Bill After Passage.*

36. After a bill shall have passed both houses, it shall be duly enrolled after being carefully compared, by the engrossing and enrolling clerk and committee of the house in which it originated, with the engrossed bill, as passed in the two houses. It shall then receive the signatures provided for in joint rule 37, and be presented to the Governor of the State.

*Enrolling Committee to Present Bills to Governor.*

37. After a bill shall have been thus passed in each house, it shall be presented by the engrossing and enrolling committee of the house in which it originated to the Governor of the State for his approval (it being first endorsed by the presiding officers of the two houses, and by the Secretary of the Senate and the Chief Clerk of the Assembly). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

## AMENDMENTS AND CONFERENCES.

*Amendments to Amended Bills Must Be Attached.*

38. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; *provided, however*, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

*To Concur or Refuse to Concur in Amendments.*

39. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

*When Senate or Assembly Refuse to Concur.*

40. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or the Chief Clerk shall notify the house making the amendments of such refusal, and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

*Committee on Conference.*

41. In every case of an amendment of a bill agreed to in one house and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

*Committee on Free Conference.*

42. If the conference fail to agree or either house refuse to adopt the report of the committee, a Committee on Free Conference shall then be appointed, which shall consist of three members from each house, to be constituted and appointed in the same manner as a Committee on Conference. The Committee on Free Conference is hereby directed to include in its report any amendments which it may adopt as a committee, and such amendments shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of a Committee on Free Conference on the same bill.

*When Conference Committee Report Is in Order.*

43. The presentation of the report of a committee on conference or free conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

*Miscellaneous Provisions.*

44. The Committee on Joint Rules shall be empowered to compile a list of suggestions as to the form of bills and resolutions prepared for introduction into the Legislature.

*Press Rules.*

45. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged, and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of the Capitol Building and Grounds; *provided*, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

*Adjournment.*

46. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both houses at least fourteen days before the date of such adjournment.

*Joint Address to Governor.*

47. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each house appointed by the respective presiding officers.

*Dispensing With Joint Rules.*

48. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and joint rules twenty-seven and thirty-five can be dispensed with only in the manner provided for in said joint rules. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the house in which it originated, without further action. Or, at the option of such house, the President or Speaker may direct the Secretary or the Chief Clerk to mark the section or sections in conflict with the rules as nonconcurrent in or negatived.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THREE.

Senator Inman asked unanimous consent to have Assembly Concurrent Resolution No. 3 withdrawn from Committee on Finance without recommendation.

Unanimous consent granted.

## MOTION TO LAY ON TABLE.

On motion of Senator Inman, Assembly Concurrent Resolution No. 3 was laid on the table.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relating to the time when members elected to Congress shall take their seats—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3; noes—0; absent—2.

YOUNG, Chairman.

Assembly Joint Resolution No. 2 ordered on file.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Breed: Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

Bill read first time, and referred to Committee on Revenue and Taxation.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 14—Relative to adoption and ratification of certain amendments to the charter of the county of Butte.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. Wm. Booth, Assistant Clerk.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY, 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted, as a case of urgency, Assembly Bill No. 142—An act making an appropriation to meet the deficiency in the appropriation for the completion of the west wing of the Los Angeles Exposition Building;

Also: Assembly Bill No. 268—An act making an appropriation to meet the deficiency in the appropriation for the repair and completion of the roof and building of the State armory at Exposition Park in the city of Los Angeles.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY, 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted, as a case of urgency, Senate Bill No. 100—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 2, 1926.

Also: Senate Bill No. 29—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds, and making same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Bills Nos. 100 and 29 ordered to enrollment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Garrison: Senate Bill No. 519—An act to add a new article to be numbered article VI, embracing sections 150 to 165, inclusive, to an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to a depositors' guaranty fund and the liquidation of banks.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 520—An act to amend section 47 of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 26, 1913, as amended, relating to the sale of insurance in the State compensation insurance fund.

Bill read first time, and referred to Committee on Insurance.

By Senator Kline: Senate Bill No. 521—An act to amend section 9 of and to add a new section to be numbered 4m to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, relating to the licensing of dealers in seeds.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

#### APPOINTMENT BY THE PRESIDENT.

Pursuant to Senator Inman's motion, the President announced the appointment of Senators Ingram, as chairman, Breed, Nelson, Tubbs and Evans to meet with a like committee from the Assembly to arrange and select the date for dedicating the California Building for the Nevada Transcontinental Highways Exposition at Reno, Nevada.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED FORTY-TWO.

Senator Chamberlin asked for and was granted unanimous consent to take up for consideration Assembly Bill No. 142.

#### CASE OF URGENCY.

#### RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 142:

*To the Senate and Assembly of the State of California.*

Assembly Bill No. 142 makes an appropriation to meet the deficiency in the appropriation for the completion of the west wing of the Los Angeles Exposition Building.

In my opinion the appropriation necessary for such expenditure during the remainder of the seventy-eighth fiscal year constitutes an emergency within the meaning of article IV, section 34 of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

C. C. YOUNG, Governor.

#### RESOLUTION.

The following resolution was offered:

By Senator Chamberlin:

*Resolved*, That Assembly Bill No. 142 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Inman, Jones, Ray, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Wagy, Weller, and Young—27.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Assembly Bill No. 142.

## SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED FORTY-TWO.

Assembly Bill No. 142—An act making an appropriation to meet the deficiency in the appropriation for the completion of the west wing of the Los Angeles Exposition Building.

Bill read second time, considered engrossed, and ordered on file for third reading.

## URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1, article IV, of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, and Weller—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 142 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Chamberlin, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Inman, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Assembly Bill No. 142 ordered transmitted to the Assembly.

## CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-EIGHT.

Senator Chamberlin asked for and was granted unanimous consent to take up for consideration Assembly Bill No. 268.

## CASE OF URGENCY.

## RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 268:

*To the Senate and Assembly of the State of California.*

Assembly Bill No. 268 makes an appropriation to meet the deficiency in the appropriation for the repair and completion of the roof and building of the State armory at Exposition Park in the city of Los Angeles.

In my opinion the appropriation necessary for such expenditure during the remainder of the seventy-eighth fiscal year constitutes an emergency within the meaning of article IV, section 34 of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

C. C. YOUNG, Governor.

## RESOLUTION.

The following resolution was offered:

By Senator Chamberlin:



*Resolved*, That Assembly Bill No. 268 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wag, and Weller—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Assembly Bill No. 268.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-EIGHT.

Assembly Bill No. 268—An act making an appropriation to meet the deficiency in the appropriation for the repair and completion of the roof and building of the State armory at Exposition Park in the city of Los Angeles.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Chamberlin, Christian, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, and Wag—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 268 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Wag—27.

NOES—None.

Title read and approved.

Assembly Bill No. 268 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senators Lyon and Mueller: Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities; providing for the letting of contracts therefor; providing for the formation of lighting

maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation; providing for the levying of special assessment taxes on lands within such districts; and providing for municipalities paying any part of such expenses and making advances to the district fund.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Nelson: Senate Bill No. 523—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Lyon: Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Nelson: Senate Bill No. 525—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Lyon: Senate Bill No. 526—An act to promote the public safety by providing safeguards to audiences at theatricals and similar performances by imposing a license tax on itinerant shows, carnivals and concessions, regulating the matter of maintaining or conducting same and providing a penalty for a violation thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by prescribing the number and fixing the salaries of such assistants and deputies; and making a supplemental appropriation to be applied

toward the payment of such salaries during the seventy-ninth and eightieth fiscal years.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, prescribing the number and fixing the salaries thereof, and making a supplementary appropriation to be applied toward the payment of such salaries during the seventy-ninth and eightieth fiscal years.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Allen, N. M.: Senate Bill No. 529—An act to add a new section to the Political Code to be numbered 1610 $\frac{1}{2}$ , relating to special leaves of absence and exchanges of teachers, principals, and other persons in public school service holding positions requiring the certification of their qualifications in certain cases, and defining the powers of boards of school trustees and city, or city and county, boards of education or high school boards of education in such cases.

Bill read first time, and referred to Committee on Education.

By Senator Handy: Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Hurley: Senate Bill No. 531—An act to amend section 1 of "An act relating to actions against an insurance carrier when the insured person is insolvent or bankrupt, or without property sufficient to satisfy execution on account of loss or damage insured against, and requiring policy to be exhibited in certain cases," approved May 21, 1919, and to add a new paragraph to section 1 thereof for the purpose of better defining the term "insured" as used in said section.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 532—An act to define collection agents and agencies, providing for the bonding of same and prescribing the manner in which same shall be operated, and providing a penalty for the violations thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 533—An act to amend an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State, to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the



ownership, use, or possession of any such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, by adding two new sections numbered 2a and 2b.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 534—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring the reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hurley: Senate Bill No. 535—An act to amend section 628 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 536—An act to amend section 1543a of the Political Code, relating to the payment of interest on unpaid orders or demands against any school district.

Bill read first time, and referred to Committee on Education.

By Senators Hurley, Christian and West: Senate Bill No. 537—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, as amended and approved June 3, 1921.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Hurley: Senate Bill No. 538—An act to amend section 605 of the Political Code relating to licensing of insurance agents.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 540—An act to control and regulate the possession, sale and use of machine guns; providing for the registration of sales of machine guns; prohibiting the possession and use of machine

guns, except by lawfully authorized persons, and to provide for their confiscation and destruction in certain cases; prohibiting the ownership, use or possession of machine guns by certain classes of persons; authorizing the granting of licenses to possess or carry machine guns; to provide for the licensing of retail dealers of such weapons.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 541—An act to amend sections 1, 2 and 3 of the "Usury Law," approved November 5, 1918, relating to legal rates of interest and providing for the submission of this act to a vote of the people.

Bill read first time, and referred to Committee on Judiciary.

#### WITHDRAWAL FROM COMMITTEE.

Senator Fellom asked unanimous consent to withdraw Senate Bill No. 144 from the Committee on Military Affairs for the purpose of considering.

Unanimous consent granted.

#### CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FORTY-FOUR.

Senator Fellom asked for and was granted unanimous consent to take up for consideration Senate Bill No. 144.

#### CASE OF URGENCY.

#### RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 144:

*To the Senate and Assembly of the State of California.*

Senate Bill No. 144 makes an appropriation to meet the deficiency in the appropriation for the repair of the State armory at San Francisco.

In my opinion the appropriation necessary for such expenditure during the remainder of the seventy-eighth fiscal year constitutes an emergency within the meaning of article IV, section 34 of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

C. C. YOUNG, Governor.

#### RESOLUTION.

The following resolution was offered:

By Senator Fellom:

*Resolved*, That Senate Bill No. 144 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Breed, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 144.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED FORTY-FOUR.

Senate Bill No. 144—An act making an appropriation to meet the deficiency in the appropriation for the repair of the State armory at San Francisco.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wag, Weller, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 144 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wag, Weller, and Young—31.

NOES—None.

Title read and approved.

Senate Bill No. 144 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Lyon: Senate Bill No. 542—An act to amend an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State and for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors, whether in county jails or in city prisons, by amending said act so as to provide that in cities where a municipal court has been established, the Board of Parole Commissioners for such municipal court shall consist of the presiding judge of said court, the chief of police and the prosecuting attorney of such city.

Bill read first time, and referred to Committee on County Government.



By Senator Crowley: Senate Bill No. 543—An act to amend section 791 of the Political Code relating to the number of notaries public in counties of the second class.

Bill read first time, and referred to Committee on Judiciary.

By Senator Weller: Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 545—An act to amend section 7 of "An act to license canners, curers, preservers and packers of fish and handlers of crustaceans and mollusks, and providing a revenue therefrom for the conservation, propagation and restoration of fish in the State of California, and providing for a record of fish caught or received, and providing penalties for the violations of the provisions thereof, and repealing all acts and parts of acts in conflict therewith; approved May 28, 1917," relating to a tonnage tax on fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 546—An act to amend the "State Housing Act," approved June 15, 1923.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 547—An act to repeal section 637c of the Penal Code, relating to the taking of sea-lions.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 548—An act to amend section 167 of the Civil Code, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Swing: Senate Bill No. 549—An act relating to and providing for the construction of a dam and incidental works on the Santa Ana River system for the prevention of floods and the spreading and conserving of the flood waters thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Irrigation.

By Senator Allen, J. M.: Senate Bill No. 550—An act to amend section 629 of the Penal Code, relating to screens over mill-races, irrigating ditches, pipes, flumes, tunnels and canals.

Bill read first time, and referred to Committee on Irrigation.

By Senator Sharkey: Senate Bill No. 551—An act to amend section 636 of the Penal Code relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 552—An act to make an appropriation to pay the claim of Vina Rais against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 553—An act to reserve from sale certain State lands, being the northeast quarter of the southwest quarter of section 32, township 8 north, range 4 west, and the west 54 and 24 100 acres of lot 2 of northwest quarter of section 5, township 5 north, range 12 east, San Bernardino Base and Meridian, in San Bernardino County, and providing for the use thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 554—An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this state from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains; and repealing the act entitled "An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Mueller: Senate Bill No. 555—An act to amend sections 67 and 68 of the Penal Code, relating to the asking or receiving of bribes.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 556—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Hollister: Senate Bill No. 557—An act to amend section 7 of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property not within the territory of incorporated cities or towns; for work upon streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property inside of incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof; for work upon streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundary of such municipality; for the incidental establishment,

change or separation of grades thereof, and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of such work; for the payment of such bonds by special assessment taxes raised in assessment districts established for the purpose; for the inclusion of the territory of any incorporated city or cities within such assessment district and for county aid in such work," approved March 21, 1907, relating to objections to work under the act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Mueller: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California, relating to the giving or lending of public credit.

Referred to Committee on Constitutional Amendments.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended and approved May 23, 1925—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that said amendments be adopted, and that it be re-referred to committee.

NELSON, Chairman.

Senate Bill No. 3 ordered on second reading file.

#### COMMITTEE AMENDMENTS.

During the reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, strike out all of lines 9 to 18, both inclusive, and insert in lieu thereof the following:

Sec. 2. All moneys so credited to said state highway construction fund shall be allocated and expended by the California highway commission of this state for the acquisition of rights-of-way for and the construction and improvement of state roads and highways in accordance with that certain act entitled "An act to provide for the acquisition of rights-of-way for and the construction, maintenance and improvement of state highways, classifying the highways in the state system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of state highways," passed at the forty-seventh session of the Legislature, or as subsequently amended, and in the event that said last mentioned act shall not be enacted into law at the forty-seventh session of the Legislature then and in that event the license tax of an additional one cent for each gallon of motor vehicle fuel imposed under this act shall cease and be inoperative. All money withdrawn from the state highway construction fund shall be upon warrants drawn by the state controller upon demands made by the said California highway commission and allowed and audited by the state board of control of this state.

Amendment adopted.



## AMENDMENT NUMBER TWO.

On page 2, strike out all of lines 24 to 27, both inclusive.

Amendment adopted.

Senate Bill No. 3 referred to Committee on Revenue and Taxation.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Ingram: Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area.

Bill read first time, and referred to Committee on Conservation.

By Senator Crowley: Senate Bill No. 559—An act to add a new section to the Political Code to be numbered 3672a, relating to the appraisal of taxable property for the purpose of equalizing assessments.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 560—An act to amend section 3673 of the Political Code, relating to the powers and duties of boards of supervisors in equalizing assessments.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 561—An act to amend section 3672 of the Political Code, relative to the powers of and duties of boards of supervisors in equalizing assessments.

Bill read first time, and referred to Committee on County Government.

By Senators Crowley, Murphy, Maloney, Gray, Tubbs, Canepa and Fellom: Senate Bill No. 562—An act to aid commerce and navigation by authorizing certain improvements in and about South Basin and South Basin Canal and as a means thereof creating a reclamation district to be called and known as the "South Basin-South Basin Canal Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works of reclamation; granting to the city and county of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said South Basin-South Basin Canal Reclamation District.

Bill read first time, and referred to Committee on Commerce and Navigation.

## RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two thousand three hundred forty-six dollars and forty-six cents (\$2,346.46) to pay the following bills:

Pacific Telephone and Telegraph Company-----	\$6 30
Bancroft-Whitney, for Codes-----	1,416 00
State Purchasing Department, supplies for Senate-----	901 10
Western Union -----	17 30
Atlas Blue Print Co., plat of Senate chamber and rooms-----	5 76

Total-----\$2,346 46

The same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—33.

NOES—None.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE.

Senator Jones, H. C., asked for and was granted unanimous consent to take up for consideration Senate Bill No. 563, without reference to committee.

#### CASE OF URGENCY.

The following resolution was offered:

By Senator Jones, H. C.:

*Resolved*, That Senate Bill No. 563 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 563.

SECOND READING OF SENATE BILL NUMBER FIVE HUNDRED SIXTY-THREE.

Senate Bill No. 563—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace sitting in courts other than their own under assignments thereto by the chairman of the Judicial Council, for the period from November 2, 1926, to June 30, 1927, inclusive, and for the manner of payment of the necessary expenses, for said period, for travel, board and lodging of such justices and judges incurred in the discharge of such assign-

ments, and declaring the same an urgency measure necessary for the immediate preservation of the public peace, health and safety, and providing for its going into effect immediately.

Bill read second time, considered engrossed, and ordered on file for third reading.

#### URGENCY CLAUSE.

SEC. 3. That serious congestion in the calendars of the courts of this State the transaction of legal business and trial and determination of pending cases now exists, has existed since November 2, 1926, and will continue to exist until after June 30, 1927, which has constituted and does constitute a grave impediment in and a serious menace to the administration of justice and the preservation of the public peace, health and safety, and that, for the preservation of the public peace, health and safety, it has been necessary and will continue to be necessary for said period to assign judges of courts of this State to jurisdictions other than their own in order to transact said court business, under the provisions of section 1a of article VI of the constitution, and there now being no provisions by statute therefor, it is necessary to make proper provision by law for the payment of the extra compensation and expenses therein provided for.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—30

NOES—None.

Bill read third time.

The question being on passage of the bill.

The roll was called, and Senate Bill No. 563 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Senate Bill No. 563 ordered transmitted to the Assembly.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FOURTEEN.

Senator Jones, Ray, asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 14, without reference to committee.

Unanimous consent granted.

Assembly Concurrent Resolution No. 14—Relative to adoption and ratification of certain amendments to the charter of the county of Butte.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Allen, J. M., Breed, Christian, Cobb, Crowley, Evans, Gray, Handy, Hurley, Johnson, Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Wagy, Weller, and Young—23.

NOES—None.



Title read and approved.

Assembly Concurrent Resolution No. 14 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

By Senator Handy: Senate Bill No. 564—An act to amend section 336 of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Corporations.

By Senator Lyon: Senate Bill No. 565—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 567—An act to amend section 1859 of the Political Code, relating to the length of the school term.

Bill read first time, and referred to Committee on Education.

By Senator Jones, H. C.: Senate Bill No. 568—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an act entitled "An act to require certain high school districts to provide part time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full time day schools, and part time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 569—An act to provide for the accomplishment of grade crossing separations over the highways of the State of California, providing that a certain per centum of all State funds hereafter raised by taxation for the construction of highways shall be used exclusively to defray the cost of grade crossing separations hereafter made over the said State highways and, providing further, that said funds so made available for such grade crossing separations shall be expended at such times and in such amounts and for the separation of such grade crossings as the California Railroad Commission in the exercise of its discretion shall direct.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the district courts of appeal.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 572—An act to amend section 10 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 573—An act to amend sections 224, 226 and 227 of, and to add a new section to be numbered 224<sup>m</sup> to the Civil Code, relating to adoption.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 574—An act to amend an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the federal board for vocational education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved June 3, 1921, as amended, by adding a new section thereto to be numbered 8, and making an additional appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 575—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments.

Bill read first time, and referred to Committee on Judiciary.

By Senator Mueller: Senate Bill No. 577—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, Statutes 1897, page 254, as amended, by amending the title of said act and adding thereto six new sections, to be numbered 108*a*, 108*b*, 108*c*, 108*d*, 108*e*, 108*f*, to provide for the construction, reconstruction, betterment or improvement of an irrigation system, or systems, or the purchase or acquisition of an irrigation system or systems already constructed, and providing for the payment of the costs and expenses of such acquisitions and such work and improvements and the issuance of bonds therefor and the payment of such bonds.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 578—An act granting to the La Jolla Beach and Yacht Club, a corporation, a perpetual easement for a channel across certain tide lands in the city of San Diego.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Jones, H. C.: Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in state, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

Bill read first time, and referred to Committee on Agriculture and Live Stock.



Also: Senate Bill No. 581—An act to add a new section to the Code of Civil Procedure, to be numbered 1983, relating to the burden of proof in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones, H. C.: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article XIV thereof a new section to be numbered 3, declaring the interest of said State in the water resources thereof, and defining the right to the use and flow of water in any natural stream, watercourse, lake or pond in said State by appropriators, riparian owners or others.

Referred to Committee on Constitutional Amendments.

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Albert Brady, Assistant Secretary of the Senate, at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Crowley: Senate Bill No. 582—An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Allen, J. M.: Senate Bill No. 583—An act to amend section 644 of the Penal Code, relative to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Nelson: Senate Bill No. 584—An act to amend the Civil Code by adding a new section thereto to be known as section 172aa thereof, relating to the rights of action of the wife to avoid the voidable gift, sale, conveyance, lease, encumbrance, or other voidable disposition of the community property by the husband.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official plans and to

appoint planning boards; describing the powers and duties of said planning boards, providing for the approval of plats; and providing that building permits shall conform to official plans.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Garrison: Senate Bill No. 586—An act to provide for the purchase by the State of California of certain matured irrigation district bonds and coupons and to secure the State for the repayment thereof and to provide a method for securing such repayment, authorizing the California Bond Certification Commission or other State authority authorized so to do, to take over the management and the control of the financial affairs of such districts and making an appropriation for such purposes.

Bill read first time, and referred to Committee on Irrigation.

By Senator Nelson: Senate Bill No. 587—An act to amend the Civil Code by adding a new section thereto to be known as section 1401a thereof, relating to the rights of the surviving spouse in community property.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 588—An act to provide for the establishment within counties of county park commissions and for the maintenance, powers and duties thereof.

Bill read first time, and referred to Committee on County Government.

By Senator Breed: Senate Bill No. 589—An act to provide additional land and buildings for the use of the University of California, at Berkeley, California, and making appropriation therefor.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Ingram: Senate Bill No. 590—An act appropriating money to pay the claim of George W. Root against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator McKinley: Senate Bill No. 591—An act to provide for the establishment, government and maintenance of regional or county planning commissions and prescribing their powers and duties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 592—An act to amend section 494 of the Civil Code of the State of California, relating to the sale of property and franchises of railroad corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 593—An act to add a new section to the Code of Civil Procedure to be numbered section 1635a, and relating to accounts of executors, administrators and guardians.

Bill read first time, and referred to Committee on Judiciary.

By Senator Johnson: Senate Bill No. 594—An act to amend section 737*e* of the Political Code, relating to the salaries of the judges of the superior court of the county of San Mateo.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senators Weller and Young: Senate Bill No. 595—An act to amend section 1303 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty, and suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation, and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer, and fixing their compensation and duties, and providing for adult probation boards in said counties and cities and counties.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Nelson: Senate Bill No. 596—An act to amend the Civil Code by adding a new section thereto to be known as section 161*a* thereof, relating to the respective interests of husband and wife in community property, and more clearly defining the same.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 597—An act to add a new section to the Penal Code, to be numbered 737*w*, relating to salary of superior judge in Contra Costa County.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 598—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917.

Bill read first time, and referred to Committee on Judiciary.

By Senator Allen, J. M.: Senate Bill No. 599—An act to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Senator Handy: Senate Bill No. 600—An act to provide for the destruction by the State Fish and Game Commission of certain fish in Clear Lake, in the county of Lake, State of California; for the disposal thereof; to pay a bonus therefor, and appropriating moneys in order to carry on the provisions of this act.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Boggs: Senate Bill No. 601—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or



property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kline: Senate Bill No. 602—An act to amend section 2322, 15 of the Political Code, relating to the salaries of the Horticultural Commissioner and his deputies in the counties of the fifteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 603—An act to amend section 19, 15 of an act entitled "An act to be known as the Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of probation officer in counties of the fifteenth class.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 604—An act to define certain words and phrases used in laws governing the protection of fish and game in the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the Fish and Game Commissioners.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 606—An act to permit the Fish and Game Commission to control predatory fish and animals.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 607—An act to authorize and empower the Fish and Game Commission to close fishing streams and lakes, and in emergency to restrict the open season for hunting in any fish and game district or portion thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 608—An act to amend section 637 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 609—An act to amend sections 4 and 5 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or

to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, and to add to said act a new section to be numbered 8.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Fellom: Senate Bill No. 611—An act to add a new section to "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of an owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus, or discount or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done therein; to provide for records to be kept by persons operating public garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines, and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act," approved May 30, 1923, as amended, to be numbered and designated as section 7a, and relating to the classification of movable machinery and other equipment.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Baker: Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 613—An act to amend section 36 of the California Vehicle Act, approved May 30, 1923, as amended, relating to registration.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 614—An act to amend section 4313 of the Political Code, relating to absence of county and township officers from the State.

Bill read first time, and referred to Committee on County Government.

PRESIDENT PRO TEMPORE OF THE SENATE ARTHUR H. BREED IN THE CHAIR.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 7—Relative to an act of Congress of the United States restraining immigration of aliens ineligible to citizenship.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Joint Resolution No. 7 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 16—Relative to appointing a committee to investigate the water resources of the State.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 16 referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 223—An act appropriating money to pay the extra compensation of judges or justices sitting in courts, by direction of the chairman of the judicial council, wherein the compensation of the judges or justices is greater than their own, during the period November 2, 1926, to June 30, 1927, inclusive, and prescribing the manner of payment thereof—and respectfully request your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Pedrotti: Senate Concurrent Resolution No. 15—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California.

Referred to Committee on Prisons and Reformatories.

By Senator Kline: Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

Bill read first time, and referred to Committee on Irrigation.



By Senator Jones, H. C.: Senate Bill No. 616—An act to amend section 3787 of the Political Code relating to the collection of property taxes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 617—An act to amend section 1 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants and other municipal securities which have become defaced or mutilated," approved February 23, 1917.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 618—An act to amend an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, by adding a new section thereto to be numbered 6a, declaring breeding places for mosquitoes to be a public nuisance and providing for the abatement thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 619—An act validating the formation and organization, and determining the boundaries of East Side County Water District, in the county of Santa Clara, State of California.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Senator Mueller: Senate Bill No. 621—An act making an appropriation to pay the claim of Edward J. Kelley against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 622—An act to add a new section to be numbered 269c to the Penal Code, relating to the publication of the names of certain persons in connection with certain crimes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 623—An act to add a new section to be numbered 273bc, to the Penal Code, relating to the publication of names of persons under sixteen years of age charged with crime.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nelson: Senate Bill No. 624—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer.

Bill read first time, and referred to Committee on Governmental Efficiency.

## RECESS.

On motion of Senator Nelson, at three o'clock and thirty minutes p.m., the President of the Senate declared recess until three o'clock and forty-five minutes p.m.

## RECONVENED.

At three o'clock and forty-five minutes p.m., the Senate reconvened. President pro tempore of the Senate Arthur H. Breed in the chair. Assistant Secretary Albert Brady at the desk.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Breed: Senate Bill No. 625—An act to amend sections 1, 4, 8 and 9 of that certain act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Inman: Senate Bill No. 626—An act establishing a State Department of Mineral Resources, creating the office of director of said department; providing rules and regulations therefor, and prescribing penalties for the violations of the provisions thereof; providing for the furnishing of information in certain cases by said director to the Commissioner of Corporations and the Surveyor General; providing for the transfer to the said department and director of all the authorities, rights, duties, and obligations of the State Mining Bureau, including the Department of Petroleum and Gas; creating a State mineral resources fund for the purpose of carrying out the provisions of this act; and repealing an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State mining bureau fund for the purpose of carrying out the provisions of this act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 627—An act to amend sections 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of an act entitled "An act to create a State Bureau of Criminal Identification, providing for the appointment of a director of said bureau, defining his duties, qualifications and powers, providing for the appointment of a clerk of said bureau, and fixing his qualifications, fixing the compensation of said director and clerk, and providing for the manner of paying the same, and providing for the expense of conducting the office," approved May 31, 1917, as amended, relating to records and identification of criminals.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 628—An act establishing a State Department of Mineral Resources, creating the office of director of said department: providing rules and regulations therefor, and prescribing penalties for violation of the provisions thereof; providing for the furnishing of information in certain cases by said director to the Commissioner of Corporations and the Surveyor General; providing for the transfer to the said department and director of all the authorities, rights, duties and obligations of the State Mining Bureau, including the Department of Petroleum and Gas; creating a State mineral resources fund for the purpose of carrying out the provisions of this act; and repealing an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of the State Mining Bureau, and to provide for the appointment, duties and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 629—An act to amend sections 1044, 1083a, 1083b, 1094, 1095a, 1096, 1096a, 1097, 1103, 1105, 1106, 1113, 1115, 1120, 1121, 1125, 1142, 1151, 1174, 1192, 1195b, 1204, 1205, 1210, 1229, 1261, 1262, 1264, 1265, of the Political Code, relating to registration of electors and conduct of elections.

Bill read first time, and referred to Committee on Elections.



Also: Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443, and 1760, of the Political Code, relating to education, and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 631—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill migratory water fowl in order to provide revenue therefrom for migratory water fowl preservation, protection and restoration and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 632—An act to add nine new sections to the Political Code, to be numbered 2331*a*, 2331*b*, 2331*c*, 2331*d*, 2331*e*, 2331*f*, 2331*g*, 2332*a*, and 2347, relating to the powers and duties of the State Department of Public Welfare concerning the registration, examination, care and treatment of physically defective or handicapped children and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to section 13 of article I of the constitution of the State of California, relating to criminal prosecution and the rights of accused persons.

Referred to Committee on Constitutional Amendments.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 2—Relative to the policy of caring for the Indians of California by the expenditure of federal appropriations through State agencies.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 2 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Senate Bill No. 144—An act making an appropriation to meet the deficiency in the appropriation for the repair of the State Armory at San Francisco;

Also: Senate Bill No. 224—An act appropriating money to pay the necessary expenses for travel, board, and lodging incurred by judges and justices sitting in the Supreme Court and the district courts of appeal, by direction of the chairman of the Judicial Council, for the period November 2, 1926, to June 30, 1927, inclusive;

Also: Senate Bill No. 225—An act appropriating money for the support and maintenance of the Judicial Council for the period November 2, 1926, to June 30, 1927, inclusive;

Also: Senate Bill No. 563—Providing for the manner of payment of the extra compensation of justices, judges, and justices of the peace sitting in courts other than their own under assignments thereto by the chairman of the Judicial Council, for the period from November 2, 1926, to June 30, 1927, inclusive. And for the manner of payment of the necessary expenses for said period, for travel, board and lodging of such justices and judges incurred in the discharge of such assignments.

and declaring the same an urgency measure necessary for the immediate preservation of the public peace, health and safety and providing for its going into effect immediately.

ARTHUR A. OIINIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Bills Nos. 144, 224, 225 and 563 ordered to enrollment.

#### ADJOURNMENT.

At four o'clock and five minutes p.m., on motion of Senator Jones, the President declared the Senate adjourned until ten o'clock a.m., Friday, January 21, 1927.

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#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, January 21, 1927.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—39.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 20, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVE OF ABSENCE.

Senator West was, on motion of Senator Evans, granted leave of absence for this day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Gilbert L. Jones of Oakland, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. W. S. Pierce of Richmond, California.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Ditmar.

## PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Kline:

## RESOLUTION.

WHEREAS, Wild birds, including game birds, are of an inestimable value to agriculturists and horticulturists and all farming activities in that they are of great assistance in the extermination of insects and other fruit and grain pests and in the extermination of noxious weed seeds; and

WHEREAS, Hunters, and especially inexperienced hunters, today are shooting our game birds and other birds and animals promiscuously and without observance of the law; and

WHEREAS, Hunters are permitted to shoot rabbits day and night, without a limit, throughout the year in Fish and Game District No. 4; and

WHEREAS, Under the substantive law, hunters are allowed to shoot doves during the months of September and October in some districts of the State of California; and

WHEREAS, Under the substantive law, quail are protected from hunters at all times of the season, except the month of December; and

WHEREAS, The shooting of rabbits throughout the entire year and the shooting of doves during the months of September and October tend to exterminate all wild life, especially because the hunters do not distinguish between the open season and the closed season once they are in the field and often shoot quail out of season and doves out of season when they are shooting rabbits, and vice versa; and

WHEREAS, The game laws governing the protection of rabbits in District No. 4 are not enforced; and

WHEREAS, Under the substantive game law there is no limit on the number of rabbits that may be killed in District No. 4; and

WHEREAS, The promiscuous and uncontrolled use of firearms by inexperienced hunters and others is causing great destruction to all living things and in particular is causing great destruction to farmers and agriculturists; and

WHEREAS, The protection of our bird and animal life is of great value to the agriculturists; now, therefore, be it

*Resolved*, That we, the undersigned, do hereby petition the Legislature of the State of California and the Fish and Game Commission of the State of California to enact laws and statutes so that the dove and rabbit seasons come at the same time and are of two weeks duration, preferably the first two weeks of September; and be it further

*Resolved*, That the limit of rabbits in Game District No. 4 be placed at fifteen per day and thirty per week, the same as in other districts in the State of California; and be it further

*Resolved*, That the cotton-tail and brush rabbit be taken from the predatory classification; and be it further

*Resolved*, That copies of this resolution be mailed to the farm bureau of the county of Riverside, State of California, to other county farm bureaus in the State and to the California State Farm Bureau headquarters.

Dated: November 17, 1926.

MORENO ARMADA FARM CENTER.

PETRO T. CENTRO, President.

J. W. PICKUP, Secretary.

This is to certify that this resolution was unanimously adopted at the regular meeting of the Moreno Farm Bureau on the seventeenth day of November, 1926.

J. W. PICKUP, Secretary.

By Senator Taylor:

POMONA, CALIFORNIA, January 20, 1927.

Hon. Cadet Taylor,

Sacramento, California.

DEAR SIR: At a meeting of the Pomona Valley Poultry Breeders' Association, held January 6, 1927, the following resolution was unanimously passed:

"WHEREAS, The poultry industry in California has increased to such an extent that it is now one of the State's major agricultural industries; and

WHEREAS, The facilities for housing and caring for a poultry exhibit at our State Fair at Sacramento are exceedingly inadequate to the needs of such an outstanding avocation in the State; now therefore, be it

*Resolved*, That we, the Pomona Valley Poultry Breeders' Association, do respectfully petition our State Legislators to accord to this industry an adequate appropriation for the necessary building and the necessary help to care for same; and be it further



*Resolved*, That a copy of this resolution be forwarded to our Senator, Cadet Taylor, with the urgent request that he do all in his power to secure the granting of the request."

Respectfully submitted.

THE POMONA VALLEY POULTRY BREEDERS' ASSOCIATION.

R. M. HOOVER, President.

E. L. SUMNER, Secretary.

#### RESOLUTIONS.

The following resolutions were offered:

By Senator Crowley:

*Resolved*, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate:

Bryant Wilson, Chaplain	\$4 00
Harold Powers, Minute Clerk	9 00
Harry Caro, Bookkeeper to Sergeant-at-Arms	5 00
Albert Brady, Assistant Secretary	9 00
Fred Cairns, Assistant Secretary	7 00
Walter Lindersmith, Assistant Secretary	7 00
A. Craner, Assistant at Desk	5 00
Carrie Garrison, File Clerk	7 00
Marybelle Wallace, Journal Clerk	7 00
Wellington Bowser, Assistant Journal Clerk	5 00
Beatrice B. Rheinstrom, Enrolling Clerk	7 00
Lillian Boyd, Assistant Enrolling Clerk	5 00
Cara D. Byrne, Chief Stenographer	6 00
Estelle Bazo, Stenographer	5 00
George Cartwright, Stenographer	5 00
Gladys Cox, Stenographer	5 00
Dorothy Durant, Stenographer	5 00
Dorothy Frame, Stenographer	5 00
Arabel Hoxie, Stenographer	5 00
Dorothy Reese, Stenographer	5 00
Beatrice Beckley, Stenographer	5 00
Vera Roberts, Stenographer	5 00
A. R. Sweeney, Stenographer	5 00
Ruth E. Hopps, Stenographer	5 00
Marguerite Bridges, Stenographer	5 00
Gertrude Emerick, Stenographer	5 00
Lillian Scott, Stenographer	5 00
Agnes Shearer, Stenographer	5 00
Pearl Power, Stenographer	5 00
Mrs. H. J. Carter, Postmistress	4 00
Mrs. H. E. Newson, Assistant Postmistress	4 00
Ida Kenyon, Press Mailing Clerk	4 00
Ruth Fuller, Assistant Enrolling Clerk	5 00
John L. Talt, Clerk of Finance Committee	6 00
Neva M. Gregg, Clerk of Judiciary Committee	6 00
Boyd Garrison, Page	2 50
Elmo Sullivan, Page	2 50
Neal Fellom, Page	2 50
John T. Young, Assistant Sergeant-at-Arms	5 00

Resolution read, and on motion of Senator Crowley adopted.

Also:

*Resolved*, That the Secretary of the Senate be and he is hereby authorized and directed to employ during the period of the constitutional recess, at a compensation not exceeding the per diem fixed by law or by resolution by the Senate for similar service, and at an expenditure not exceeding \$475, such assistants and additional help as may be necessary to carry out the business and directions of the Senate, and for that purpose he is hereby given complete authority over all employees necessary in such work, and the Controller is hereby directed to draw his warrant in favor of the Secretary of the Senate for the said sum of \$475, payable out of the unexpended portion of the \$300 per day allowed by law for the payment of officers and employees of the Senate, and the State Treasurer is hereby directed to pay the same.

The Secretary of the Senate is further directed to furnish the Controller with the vouchers and receipts for all expenditures made by him during the said constitutional recess.

Resolution read.

19-51897-SJ

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

### By Committee on Contingent Expenses:

*Resolved*, That there is hereby appropriated out of the contingent fund of the Senate \$200, or so much thereof as may be needed, for the purpose of purchasing boxes, packing, mailing and expressing all papers and documents belonging to Senators to their places of residence. Immediately after the adjournment for the constitutional recess, the Sergeant-at-Arms of the Senate shall cause this work to be done and shall file with the Controller of the State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant or warrants in favor of the Sergeant at-Arms of the Senate for the amount necessarily expended, and the Treasurer is directed to pay the same.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

Also:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of five hundred dollars (\$500) for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 20, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 142—An act to amend section 39 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

Senate Bill No. 142 ordered on file for third reading.

#### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Concurrent Resolution No. 16—Relative to appointing a committee to investigate

the water resources of the State—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be adopted as amended.

Unanimous vote of committee.

GARRISON, Chairman.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTEEN.

Senator Garrison asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 16.

Unanimous consent granted.

#### COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the fifth line of the fourth paragraph of the resolution, after the comma following the word "respectively", add the words "to act".

##### AMENDMENT NUMBER TWO.

In the second line of the fourth paragraph, strike out the word "seven" and add in lieu thereof the word "eight".

##### AMENDMENT NUMBER THREE.

In the third line of the fourth paragraph, strike out the word "three" and add in lieu thereof the word "four".

##### AMENDMENT NUMBER FOUR.

In the first line of page 2 of the resolution, strike out the words "made available", and add "appropriated" in lieu thereof.

Amendments adopted.

#### ASSEMBLY CONCURRENT RESOLUTION No. 16.

Relative to appointing a committee to investigate the water resources of the State.

WHEREAS, It appears that a complete and detailed report by the State Engineer upon the water resources of the State has been rendered impossible at this time by reason of the decease of the Honorable W. F. McClure, former State Engineer; and

WHEREAS, The summary report upon water resources of the State recently submitted by the State Engineer to the Legislature at the forty-seventh session thereof is lacking in the detailed information which is necessary to a proper and adequate study of the subjects therein considered; and

WHEREAS, It is vital to the interests of this State, particularly to the agricultural districts thereof, that the Legislature of the State of California, at the forty-seventh session thereof, have available for the consideration of its members sufficient and adequate information to enable them to consider and to further the adoption and enactment of constructive legislation in relation thereto; now, therefore, be it

*Resolved by the Assembly, the Senate concurring.* That a committee of eight members, consisting of four members of the Assembly and four members of the Senate, be appointed by the Speaker of the Assembly and the President of the Senate, respectively, to act in conjunction with the assistance of the Director of the Department of Public Works, to make a further study of the records of the State Engineer, pertaining to the subject of this resolution and to report its findings and submit its recommendations to this Legislature at the forty-seventh session thereof not later than the first week in March, 1927, and be it further

*Resolved,* That the sum of one thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of defraying the expenses of said committee and said investigation, said sum to be paid equally from the contingent funds of the Senate and Assembly, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of the said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Inman, Johnson, Jones, H. C.,



Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Weller, and Young—30.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 16 ordered transmitted to the Assembly.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Senator Young asked unanimous consent for the consideration of Assembly Joint Resolution No. 2, without reference to committee.

Unanimous consent granted.

Assembly Joint Resolution No. 2—Relating to the time when members elected to Congress shall take their seats.

#### AMENDMENT FROM THE FLOOR.

During the reading of the resolution, the following amendment was offered and its adoption moved by Senator Young:

#### AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed resolution, strike out the words "more than" after the second word "for", and strike out all of line 7 and insert in lieu thereof the following: "the duration of the short session of congress although their successors have been elected; and,".

Amendment adopted.

#### ASSEMBLY JOINT RESOLUTION No. 2.

Relating to the time when members elected to Congress shall take their seats.

WHEREAS, Under the existing conditions, newly elected members of Congress do not take their seats in Congress, unless at a special session, until the elapse of more than a year after their election; and,

WHEREAS, Members of Congress who are not reelected continue to serve and vote for their constituents for the duration of the short session of Congress although their successors have been elected; and, a year after their predecessors have been elected; and,

WHEREAS, Such conditions are not productive of the best interests of the people of the United States; therefore be it

*Resolved by the Assembly and Senate of the State of California, jointly.* That the Legislature of the State of California earnestly petitions Congress to submit a constitutional amendment to the several states which would provide that members of Congress should take their seats within a short time after their election; and be it further

*Resolved.* That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the President and Vice President of the United States, to each member of the Senate and House of Representatives of the United States and to the governors of each of the several states.

Resolution read.

The question being on the adoption of the resolution as amended.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and Young—29.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 2 ordered transmitted to the Assembly.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 223—An act appropriating money to pay the extra compensa-

tion of judges or justices sitting in courts, by direction of the chairman of the Judicial Council, wherein the compensation of the judges or justices is greater than their own, during the period November 2, 1926, to June 30, 1927, inclusive, and prescribing the manner of payment thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED TWENTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "pay", insert "the state's share of".

AMENDMENT NUMBER TWO.

On page 1, lines 7 and 8, of the printed bill, after the word "inclusive", strike out the semicolon and the words "provided however that" and insert in lieu thereof a period, and begin the following word "the" with a capital.

The roll was called, and Assembly amendments to Senate Bill No. 223 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, and Young—31.

NOES—None.

Senate Bill No. 223 ordered to enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 6—Relating to the re-creating of the position of United States District Judge for the Northern District of California.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. Wm. Booth, Assistant Clerk.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SIX.

Senator Maloney asked unanimous consent for the consideration of Assembly Joint Resolution No. 6, without reference to committee.

Unanimous consent granted.

ASSEMBLY JOINT RESOLUTION No. 6.

Relating to the re-creating of the position of United States District Judge for the Northern District of California.

*Resolved by the Assembly and the Senate jointly.* That owing to the death, in the month of May, 1926, of United States District Judge John S. Partridge, leaving but two United States district judges to function in the Northern District of California, and in view of the greatly congested calendars in the federal courts both in San Francisco and in Sacramento, and the exigencies of the public interests and litigation requiring immediate relief, the Congress of the United States be respectfully requested and urged to re-create, at the present session of Congress, the position of United States District Judge for the Northern District of California made vacant by the death of United States District Judge John S. Partridge.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Rush, Slater, Swing, Tubbs, Waggy, and Young—27.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 6 ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER EIGHT.

Senator Breed asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 8, without reference to committee.

Unanimous consent granted.

ASSEMBLY CONCURRENT RESOLUTION No. 8.

Relative to joint rules of Senate and Assembly.

*Resolved by the Assembly, the Senate concurring.* That the following be adopted as the joint rules of the two houses of the Legislature for its forty-seventh session:

JOINT RULES OF SENATE AND ASSEMBLY.

COMMITTEES AND COMMITTEE MEETINGS.

*Standing Committees.*

1. Subject to the right of either house to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each house:

- (1) Agriculture.
- (2) Banking.
- (3) Building and Loan Associations.
- (4) Civil Service.
- (5) Commerce and Navigation.
- (6) Conservation.
- (7) Corporations.
- (8) Constitutional Amendments.
- (9) County Government.
- (10) Drainage, Swamp and Overflowed Lands.
- (11) Education.
- (12) Elections.
- (13) Federal Relations.
- (14) Finance in the Senate and Ways and Means in the Assembly.
- (15) Fish and Game.
- (16) Hospitals and Asylums.
- (17) Insurance.
- (18) Irrigation.
- (19) Judiciary.
- (20) Labor and Capital.
- (21) Manufactures.
- (22) Military Affairs.
- (23) Mines and Mining.
- (24) Municipal Corporations.
- (25) Oil Industries.
- (26) Prisons and Reformatories.
- (27) Public Health and Quarantine.
- (28) Public Morals.
- (29) Public Utilities.
- (30) Revenue and Taxation.
- (31) Roads and Highways.
- (32) Rules.

*Joint Committees.*

2. Joint standing committees of Senate and Assembly shall be appointed as follows:

- (1) Committee on Revision and Printing, to consist of three (3) members from the Senate and five (5) from the Assembly.
- (2) Committee on Joint Rules, to consist of the members of the rules committee of each house.

*Joint Meeting of Committees.*

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairman of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

BILLS AND RESOLUTIONS.

*Scope of Word "Bill."*

4. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.



*Joint and Concurrent Resolutions.*

5. Joint resolutions are those which relate to matters connected with the federal government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

*Resolutions Treated as Bills.*

6. Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills; except that they shall be read but one time in each house, and that they shall not be deemed bills within the meaning of section 2 of article IV of the constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

## PREPARATION AND INTRODUCTION OF BILLS.

*Title of Bill.*

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

*Division of Bill Into Sections.*

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

*Changes from Existing Laws to be Marked by Author.*

9. In case of a bill amending a code section, or general law, all omissions must be shown by the insertion of heavy parentheses or brackets without including the omitted matter; all additions must be shown by underlining the new matter. When printed, the new matter so underlined shall be enclosed in heavy brackets in the printed bill and also heavy brackets shall be retained to show omissions.

*Committee on Revision and Printing to Examine Bills When Introduced.*

10. Unless otherwise ordered by the house in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing, which shall examine the bill, with the aid of the Legislative Counsel Bureau. The committee, by and with the written assent of the author filed with it, shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill; *provided*, that no bill which bears the stamp of the Legislative Counsel Bureau showing that before introduction it has been examined as to form, shall be sent to the Committee on Revision and Printing.

NOTE—The submission of bill copy to Legislative Counsel Bureau for approval of form before introduction will expedite its course.

*Bills Introduced to Indicate Changes in Existing Laws.*

11. The Committee on Revision and Printing shall see to it that rules 7 and 9 of these joint rules are observed by the author, and that the bill shall not be sent to the printer until the provisions of these rules have been carried out.

*Reports of Committee on Revision and Printing.*

12. The Committee on Revision and Printing shall return to the Secretary of the Senate or Chief Clerk of the Assembly all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

*Endorsement of Date of Introduction.*

13. Bills introduced in either house shall be endorsed with the date of introduction.

## PRINTING AND DISTRIBUTION OF BILLS.

*Manner of Printing Bills, etc.*

14. The State Printer shall observe the following directions in printing all bills, constitutional amendments, joint and concurrent resolutions:

(a) The body of such bills and resolutions shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(b) All titles of bills, resolutions, etc., shall be set in italics, statute form, and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only; *provided, however*, that concurrent resolutions approving city or county or city and county charters or amendments thereto may be set in smaller type and without line numbers.

(d) Enrolled bills may be inclosed in stock cover.

*Printing of Amendments.*

15. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in type bearing a horizontal line through the center, and commonly known as "strike out" type. When a bill is amended in either house, the first or previous markings shall be omitted. When a bill amendatory of a code section is engrossed, all figures or symbols shall be removed.

*Distribution of Bills During Constitutional Recess.*

16. All requests for mailing or distribution by the members shall be filed with the Secretary of the Senate or Chief Clerk of the Assembly, who shall compile the same with the elimination of duplication as a general mailing list. The distribution of bills, constitutional amendments, joint and concurrent resolutions shall be systematized as follows: Members' desks and legislative officers' files one hundred fifty full sets; to authors fifty copies of their own bills; accredited newspaper representatives twenty-five; to public and law libraries, newspapers, county officials, and other civic, commercial, fraternal or industrial organizations as the Secretary of the Senate and Chief Clerk of the Assembly may compile from the recommendations of the members of both houses, one thousand two hundred copies; to State officers, State Library and Secretary of State, two hundred copies; to legislative committees, bill room files and public requests confined to single copies of bills designated, one thousand copies. The State Printer shall cause to be printed in the standard form adopted by the Senate and the Assembly as many copies of all bills, constitutional amendments and joint or concurrent resolutions as may be necessary to conform to the provisions of this rule.

A similar number and distribution shall be made of the semifinal history and final calendar.

*Distribution of Bills After Constitutional Recess.*

17. Following the recess, new bills introduced shall be forwarded to the public libraries and law libraries only, and one copy each of amended bills as may be requested. Weekly histories and journals shall be distributed generally, following the recess, upon such schedule as the Secretary of the Senate and Chief Clerk of the Assembly may designate.

## OTHER LEGISLATIVE PRINTING.

*Printing of the Daily Journal.*

18. The State Printer shall print one thousand copies of the Journal of each day's proceedings of each house; at the end of the session he shall also print a sufficient number of copies, properly paged after being corrected and indexed by the Secretary of the Senate and Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature as required by law.

*What Shall Be Printed in the Journal.*

19. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house, and the title and text of joint and concurrent resolutions and constitutional amendments when adopted by the house; *provided*, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial, or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a committee of the whole.

*Printing of the Daily File.*

20. A file of bills ready for consideration shall be printed each day for each house, and copies of the file of each house shall be distributed each day to all of the members of both houses.

*Printing of History.*

21. Each house shall cause to be printed on Monday of each week, during the session, a complete History of all bills, joint or concurrent resolutions and constitutional amendments originating in, or acted upon by the respective houses.

Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance.

For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the History shall be compiled and printed to date of recess.

*Authority for Printing Orders.*

22. The Superintendent of State Printing shall not print for use of either house any matter other than provided by law or by these rules, except upon a written

order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

#### RECORD OF BILLS.

##### *Secretary and Chief Clerk to Keep Register.*

23. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution, or constitutional amendment.

##### *Secretary and Chief Clerk Shall Endorse Bills.*

24. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original bill a statement of any action taken by the Senate and Assembly

#### ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER.

##### *Bills Read and Referred to Committee.*

25. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or the Chief Clerk and referred to a standing committee by the presiding officer, unless otherwise ordered by the house.

##### *After a Bill Has Been Passed by the Senate or Assembly.*

26. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the house, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule.

##### *Special File.*

27. On the second day after the close of the recess provided for in section 2, article IV of the constitution, the Senate and Assembly shall each adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day in the Assembly and at two o'clock and thirty minutes p.m. of each day in the Senate and be considered at least one hour and a half after being so taken up unless its consideration shall be completed in a lesser period of time. This rule shall not be suspended in either house except by a three-fourths vote of such house.

#### REPORTS FROM ONE HOUSE TO THE OTHER AS TO ACTION ON BILL.

##### *Bill or Resolution in One House, Rejected in the Other, Requires Notice.*

28. When a bill or resolution which shall have passed one house is rejected by the other, notice thereof shall be given immediately to the house in which the same shall have passed.

##### *Each House to Transmit Papers.*

29. Each house shall transmit to the other papers on which any bill or resolution shall be founded.

##### *Notices to Be in Writing Under Proper Signatures.*

30. Notice of the action of either house to the other shall be in writing, and under the signature of the Secretary of the Senate or the Chief Clerk of the House from which such notice is to be conveyed.

##### *Secretary, Chief Clerk, etc., to Dispatch Messages.*

31. Messages shall be sent to the other house by an officer or attache to be designated by the secretary, if it be a Senate message, or by the Chief Clerk if it be an Assembly message.

##### *Messages Must be Announced by the Sergeant-at-Arms.*

32. When a message shall be sent from either house it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person by whom it may be sent.

#### PASSAGE AND ENROLLING OF BILLS.

##### *Passage of Bills Taking Effect Immediately.*

33. Each house shall act in the usual course upon all bills that may be made to take effect immediately, under the provisions of section 1, article IV of the constitution.

##### *Passage of Urgency Provisions in Bills.*

34. Upon the third reading of an act which is an urgency measure within the meaning of section 1, article IV of the State constitution, the presiding officer shall



direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall this section setting forth the urgency features of this bill be passed?" If upon such final vote two-thirds of all the members elected to the house in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill; but, in case an identical bill without such an emergency clause be again introduced into such house, such bill shall be placed on file without reference to any committee.

*Passage of Bills Preceding Final Adjournment.*

35. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment sine die of the two houses of the Legislature, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the presiding officer thereof.

*Enrollment of Bill After Passage.*

36. After a bill shall have passed both houses, it shall be duly enrolled after being carefully compared by the Engrossing and Enrolling Clerk and committee of the house in which it originated, with the engrossed bill, as passed in the two houses. It shall then receive the signatures provided for in Joint Rule 37, and be presented to the Governor of the State.

*Enrolling Committee to Present Bills to Governor.*

37. After a bill shall have been thus passed in each house, it shall be presented by the engrossing and enrolling committee of the house in which it originated to the Governor of the State for his approval (it being first indorsed by the presiding officers of the two houses, and by the Secretary of the Senate and the Chief Clerk of the Assembly). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

AMENDMENTS AND CONFERENCES.

*Amendments to Amended Bills Must Be Attached.*

38. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; *provided, however*, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

*To Concur or Refuse to Concur in Amendments.*

39. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

*When Senate or Assembly Refuse to Concur.*

40. If the Senate refuse to concur (if it be a Senate bill) or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or the Chief Clerk shall notify the house making the amendments of such refusal, and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the house, and the chairman thus elected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and Assembly.

*Committee on Conference.*

41. In every case of an amendment of a bill agreed to in one house and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

*Committee on Free Conference.*

42. If the conference fail to agree or either house refuse to adopt the report of the committee, a Committee on Free Conference shall then be appointed, which shall consist of three members from each house, to be constituted and appointed in the same manner as a Committee on Conference. The Committee on Free Conference is hereby directed to include in its report any amendments which it may adopt as a committee, and such amendments shall be attached to the bill.

The report of the Committee on Free Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of a Committee on Free Conference on the same bill.

*When Conference Committee Report Is in Order.*

43. The presentation of the report of a committee on conference or free conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

*Miscellaneous Provisions.*

44. The Committee on Joint Rules shall be empowered to compile a list of suggestions as to the form of bills and resolutions prepared for introduction into the Legislature.

*Press Rules.*

45. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged, and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of the Capitol building and grounds; *provided*, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

*Adjournment.*

46. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both houses at least fourteen days before the date of such adjournment.

*Joint Address to Governor.*

47. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each house appointed by the respective presiding officers.

*Dispensing With Joint Rules.*

48. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and joint rules 27 and 35 can be dispensed with only in the manner provided for in said joint rules. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violation shall be returned to the house in which it originated, without further action. Or at the option of such house, the President or Speaker may direct the Secretary or the Chief Clerk to mark the section or sections in conflict with the rules as nonconcurring in or negated.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 8 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Murphy, Nelson, Rush, Slater, Swing, Tubbs, Wag, and Young—28.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 8 ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER NINE.

Senator Lyon asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 9, without reference to committee.

Unanimous consent granted.

Assembly Concurrent Resolution No. 9—Approving the charter of the city of Porterville, State of California, ratified by the qualified electors of said city at a special election held therein on the fifth day of October, 1926.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 9 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and Weller—29.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 9 ordered transmitted to the Assembly.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER THREE.

Senator Allen, J. M., asked unanimous consent for the consideration of Senate Joint Resolution No. 3, without reference to committee.

Unanimous consent granted.

SENATE JOINT RESOLUTION No. 3.

Relating to the protection of the McCloud River.

WHEREAS, The flow of glacial detritus and mud from Mount Shasta, is seriously threatening the use of certain rivers in the northern part of the State of California; and

WHEREAS, This debris originates exclusively in the Shasta National Forest, and flows into the McCloud River, which has long been recognized as the best salmon propagating stream in the drainage area emptying through the Golden Gate; and

WHEREAS, The federal government, has established a salmon hatchery, and United States fishery headquarters at Baird, on the McCloud River, which has been in operation for about forty-five years, the use of which is threatened with destruction; and

WHEREAS, The government of the United States has additionally reserved all public land on and contiguous to the McCloud River as power reserves, and its use for hydro-power generation will be injuriously effected by the movement of sand and other debris; and

WHEREAS, The mud flow is carried in suspension into the main channel of the Sacramento River, where it is proving detrimental when diverted to the valley lands for irrigation purposes, and is injurious to government reclamation projects, existing or planned for the future, and the pollution furthermore affects the water injuriously for domestic uses; and

WHEREAS, There has been introduced into the House of Representatives, of the United States, a certain bill, H. R. 16473, sixty-ninth Congress, second session, to



provide for the protection of timber lands within the Shasta National Forest; for the protection of the McCloud River as a salmon propagating stream; for the protection of the domestic water supply of the city of Redding, California; for the protection of the Anderson Irrigation District; and for the protection of the navigable channel of the Sacramento River, California, from mud flow from melting glaciers on Mount Shasta, California, situated within the Shasta National Forest; and the passage of which would be of great value in protecting the property and reserves of the United States, and of great benefit to the State of California; therefore, be it

*Resolved by the Senate and Assembly, jointly,* That the Legislature of the State of California urgently petitions and requests the passage of H. R. 16473; and be it further

*Resolved,* That the Secretary of the Senate is directed to send copies of this resolution to the chairmen of the committees in the Senate and House of Representatives, having jurisdiction in the matter of H. R. 16473, and to the Hon. Herbert Hoover, Secretary of Commerce; to the Hon. Hubert Work, Secretary of the Interior; to the Hon. Wm. M. Jardine, Secretary of Agriculture, and to the Senators and Representatives in Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—30.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 3 ordered transmitted to the Assembly.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 9—Relative to the appointment of a committee to negotiate with committees from the states of Arizona and Nevada for the purpose of settling the respective rights of California, Arizona and Nevada in and to the waters of the Colorado River system, adopted January 6, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER NINE.

Senator Swing asked unanimous consent for the consideration of Assembly Joint Resolution No. 9, without reference to committee.

Unanimous consent granted.

#### ASSEMBLY JOINT RESOLUTION No. 9.

Relative to the appointment of a committee to negotiate with committees from the states of Arizona and Nevada for the purpose of settling the respective rights of California, Arizona and Nevada in and to the waters of the Colorado River system, adopted January 6, 1927.

WHEREAS, On the sixth day of January, 1927, the Legislature adopted Assembly Joint Resolution No. 1, providing, among other things, for the appointment of a committee of three to negotiate with committees from Arizona and Nevada, relative to the rights of said respective states in and to the waters of the Colorado River; and

WHEREAS, It is desirable that the committee representing the State of California in said negotiations be increased to five members, so as to correspond in number with the committees representing said other states; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the members of the committee provided for in and by said Joint Resolution No. 1, be and the same is hereby increased to five members, to be appointed as provided in said Joint Resolution No. 1.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 9 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, Murphy, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—27.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 9 ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following constitutional amendments were introduced:

By Senator Allen, N. M.: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article I thereof, a new section to be numbered 14½, relating to the taking of parcels of land by eminent domain where such border upon public improvements.

Referred to Committee on Constitutional Amendments.

By Senator Murphy: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 8, article XIII of the constitution of the State, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

#### CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senator Crowley asked unanimous consent for the consideration of Senate Joint Resolution No. 4, without reference to committee.

Unanimous consent granted.

#### SENATE JOINT RESOLUTION No. 4.

Relative to the elimination of surcharges and surtaxes on Pullman fares and chair car fares.

WHEREAS, There is now pending before the Congress of the United States a bill known as the Robinson bill, which bill is designed to prevent and eliminate the collection of surcharges and surtaxes on Pullman fares and chair car fares; and

WHEREAS, The occasion for the collection of such surcharges and surtaxes has ceased to exist; and

WHEREAS, The collection of such surcharges and surtaxes imposes an unnecessary and excessive burden upon the people and upon commerce; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of this State hereby urges upon the Congress of the United States the adoption of said Robinson bill and the imperative need for the immediate enactment of the same; and be it further

*Resolved,* That a copy of this joint resolution be sent to the President of the United States, to the governor of each of the states of the United States and to each of the members of the House of Representatives and of the Senate in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Waggy, Weller, and Young—31.

NOES—Senators Swing and Tubbs—2.

Title read and approved.

Senate Joint Resolution No. 4 ordered transmitted to the Assembly.

## EXPLANATION OF VOTE.

Senator Swing asked for and was granted unanimous consent to have the following explanation of his vote on Senate Joint Resolution No. 4 printed in the Journal:

This resolution requests Congress to adopt a measure relative to surcharges for sleepers. There is no sufficient information regarding the contents of the measure referred to nor its purpose and effect to enable me to vote intelligently. I therefore vote no.

## CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FIVE.

Senator Murphy asked unanimous consent for the consideration of Senate Joint Resolution No. 5, without reference to committee.

Unanimous consent granted.

## SENATE JOINT RESOLUTION No. 5.

Relating to retirement of federal employees.

WHEREAS, A bill known as S. R. 4866 to amend the act entitled "An act for the retirement of employees in the classified civil service and for other purposes," approved May 22, 1920, and acts in amendment thereof, approved July 3, 1926, is now pending in the congress of the United States; and

WHEREAS, The sum of three and one-half per cent of the salary of federal employees is deducted for the purpose of supplying a retirement fund; and

WHEREAS, As the last report shows that the employees during the operation of this act have contributed more than fifty-five million dollars, and after paying annuities there remains a balance of more than thirty-four million dollars; and

WHEREAS, This bill allows employees after thirty years of service, and after reaching the age of sixty-three years, to retire on an annuity of not more than one thousand two hundred dollars per annum; therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly.* That the Legislature of the State of California does hereby heartily approve and indorse the passage of S. R. 4866 and earnestly requests the Senators and Representatives of California and Congress to do all in their power to secure an enactment of this bill; be it further

*Resolved.* The Secretary of the Senate be directed to send copies of these resolutions to the Senators and Representatives of the State of California in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 5 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, and Young—30.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 5 ordered transmitted to the Assembly.

## CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SIX.

Senator Murphy asked unanimous consent for the consideration of Senate Joint Resolution No. 6, without reference to committee.

Unanimous consent granted.

## SENATE JOINT RESOLUTION No. 6.

Relating to the Classification Act of 1923.

WHEREAS, A bill known as H. R. 359 to amend an act entitled "The Classification Act of 1923," approved March 4, 1923, failed to pass at the last session of Congress; and

WHEREAS, The purpose of this said bill is to abolish the personnel classification board created by the act entitled "The Classification Act of 1923, and to transfer the



powers, duties and functions vested in said personnel classification board to the United States Civil Service Commission"; and

WHEREAS, As the passage of this said bill H. R. 359 by Congress will be beneficial to the federal employees; now therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly.* That the Legislature of the State of California does hereby heartily approve and indorse this measure and earnestly request the Senators and Representatives of the State of California to do their utmost to secure the passage of this measure; and be it further

*Resolved.* That the Secretary of the Senate is hereby directed to forward copies of these resolutions to the Senators and Representatives of the State of California in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Taylor, Tubbs, Wagy, and Young—29.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 6 ordered transmitted to the Assembly.

#### CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SEVEN.

Senator Murphy asked unanimous consent for the consideration of Senate Joint Resolution No. 7, without reference to committee.

Unanimous consent granted.

#### SENATE JOINT RESOLUTION No. 7.

Relating to pay increases of government employees.

WHEREAS, There is now pending in the Congress of the United States a bill known as H. R. 14696, to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services"; and

WHEREAS, This bill provides for the raising of the standard of all lower paid employees, by raising the wage to a minimum of \$1,500 per annum for all employees over 18 years of age who work full time; and

WHEREAS, The passage of this bill will be of a great benefit to the employees of the custodian, customs, immigration, war, and other services; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly.* That the Legislature of the State of California urgently petition and request that Congress provide proportionate pay increases to all classes of employees in government service and to provide for a minimum annual salary of \$1,500 for the above named employees; and be it further

*Resolved.* That the Secretary of the Senate is hereby directed to send copies of these resolutions to the Secretary of War, the Secretary of the Treasury and to the Senators and Representatives of the State of California in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 7 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Slater: Senate Bill No. 633—An act to amend section 649 of the Civil Code to add certain new sections to be known as sections 649*a*, 651*a*, 651*b*, 651*c* and 651*d*, relating to the incorporation of colleges and seminaries of learning.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Young: Senate Bill No. 634—An act to amend section 11 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905, approved May 31, 1917," as amended, relating to salaries of the superintendent and employees of Bureau of Criminal Identification.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1916, as amended, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 636—An act to amend sections 36, 46, 50, 51, 72, 153 and 157 of, and to add five new sections to be numbered 16*a*, 28*a*, 28*b*, 28*c* and 28*d* to the "California Vehicle Act," approved May 30, 1923, requiring owners of motor vehicles, trailers and semitrailers, other than the United States of America, the State of California, and any political subdivision thereof, to furnish security for the civil liability of such owners and of all persons expressly or impliedly permitted by them to operate, maintain, control or use a motor vehicle, trailer or semitrailer upon the highways, for personal injuries and property damage caused by such motor vehicles, trailers and semitrailers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 637—An act to release any claim that the State of California may have to certain lands situate in the city of Oakland, State of California.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 638.—An act to amend the California Vehicle Act, approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 148, 151, and by adding thereto new sections, to be numbered 19½ and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Hollister: Senate Bill No. 639—An act to amend sections 2, 3, 4, 6 and 7 of an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Murphy: Senate Bill No. 640—An act providing for the protection and assistance of aged persons under certain conditions in the State of California, and providing the method therefor and making appropriation therefor and prescribing penalties for the violations of the provisions thereof.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Senator Maloney: Senate Bill No. 641—An act to amend section 19b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to probation officers.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Evans: Senate Bill No. 642—An act to amend an act entitled, "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by



amending sections 20, 31, 65, 80, 83 and 105, and by adding new sections thereto to be numbered sections 31*c* and 31*d*, all relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

By Senator McKinley: Senate Bill No. 643—An act to amend section 3 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to offering lots for sale.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 644—An act to amend section 3658*a* of the Political Code, relating to assessment by reference to a map.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Handy: Senate Bill No. 646—An act providing for the taking over by the State of California of a certain road in the county of Lake and declaring the same to be a State highway, and for the maintenance and improvement of the same as a State highway, and authorizing the board of supervisors of Lake County to convey said road to the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Swing: Senate Bill No. 647—An act amending section 1761 of the Political Code, relating to the apportionment of high school taxes and funds.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 648—An act to amend section 1532 of the Political Code, relating to the duties of the Superintendent of Public Instruction.

Bill read first time, and referred to Committee on Education.

By Senator Lyon: Senate Bill No. 649—An act making an appropriation to pay the claim of Richard Kittelle against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 650—An act to amend section 2872 of the Political Code, relating to toll-bridges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 651—An act to regulate the signing of criminal bonds by professional bondsmen, their agents or representatives, to regulate the fees charged for professional bonds by professional bondsmen, their agents or representatives; requiring reports of statements to be filed with certain public officers and to provide penalties for the violation thereof.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 652—An act appropriating money for the placing of statues in the Hall of Fame at the city of Washington, District of Columbia.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 653—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession, and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessment of such bonds," approved April 7, 1911, as amended, relating to bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 654—An act to amend section 135 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in

conflict with this act," approved May 30, 1923, as amended, relating to vehicles stopping at railroad crossings.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 655—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the purchase of materials and supplies and providing for cooperation of said flood control district with public and private corporations.

Bill read first time, and referred to Committee on County Government.

By Senator Fellom: Senate Bill No. 656—An act to amend section 36 of the "California Vehicle Act," approved May 30, 1923, as amended.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 657—An act to amend section 85 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to weights of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Swing: Senate Bill No. 658—An act approving and ratifying the Colorado River Compact, and relating to the provisions thereof.

Bill read first time, and referred to Committee on Federal Relations.

By Senator Allen, J. M.: Senate Bill No. 659—An act providing for the exchange of certain lands of the State, situate in a national park, and for the management and control of the lands acquired in exchange.

Bill read first time, and referred to Committee on Federal Relations.

Also: Senate Bill No. 660—An act to amend sections 2754, 2755 and 2768 of the Political Code, relating to permanent road divisions.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Garrison: Senate Bill No. 661—An act to amend section 669 of the Penal Code, relating to sentence for crime.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Jones, Ray: Senate Bill No. 662—An act to amend section 7 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, relating to products sold in sacks.

Bill read first time, and referred to Committee on Agriculture and Live Stock.



Also: Senate Bill No. 663—An act to amend section 3 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, as amended, relating to products sold in sacks.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 664—An act to amend section 32a of an act entitled "An act to establish a standard of weights and measures in the State of California: to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof: to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices: providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery: to prevent the sale of goods, wares and merchandise by false weights and measures: to provide penalties for the violation of the provisions of this act: for the admission in evidence of copies of the State's standard of weights and measures: providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies: defining the powers and duties of such officers: and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to products sold in sacks.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Handy: Senate Bill No. 665—An act to amend section 2322c42 of the Political Code, relating to salaries of horticultural commissioner in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Hurley: Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 667—An act providing for the placing of automatic windshield wipers on all automobiles operated within the State and providing a penalty for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Motor Vehicles.

Also: Senate Bill No. 668—An act to amend section 597 of the Political Code, relating to the examiners and examinations of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 669—An act to add a new section to the Political Code, to be numbered 633*e*, prohibiting sale of premium notes prior to delivery of policy thereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 670—An act to authorize the creation of county adjustment schools for the care of minors under eighteen years of age; to provide for the maintenance and management of same, and the making of commitments and transfer of said minors thereto, and the support of said minors therein.

Bill read first time, and referred to Committee on Education.

By Senator Jones, Ray: Senate Bill No. 671—An act to amend section 2322*x*40 of the Political Code, relating to the salaries of county horticultural commissioners, deputies, and inspectors in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen, N. M.: Senate Bill No. 672—An act to amend sections 164, 167, 172 and 172*a* of the Civil Code, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 673—An act to amend sections 1812, 1813, 1815, 1819 and 1820 of the Code of Civil Procedure, and to repeal sections 1814, 1816, 1817 and 1818 of the Code of Civil Procedure, relating to sole traders.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chamberlin: Senate Bill No. 674—An act to amend section 1305 of the Penal Code, relating to the forfeiture of the undertaking of bail and the discharge of the forfeiture.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 675—An act to amend section 1306 of the Penal Code, relative to the enforcement of a forfeiture by action.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 676—An act to amend section 1307 of the Penal Code, relating to the disposition of deposits of money when forfeited.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also (by request): Senate Bill No. 677—An act to amend section \_\_\_\_\_ of the Political Code, relating to the Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Senate Bill No. 678—An act to amend section 2978 of the Political Code, relating to the Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to appointment of deputies.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 680—An act to provide for the formation, management and dissolution of park, recreation and parkway districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 681—An act to amend section 2302 of the Political Code, relating to the salary of State Librarian.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 682—An act to repeal section 598 of the Civil Code, relating to the sale of real property, and granting of easements by religious corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 683—An act to amend section 4041 of the Political Code, and to add fifteen new sections to said code, to be numbered 4041*h*, 4041*i*, 4041*j*, 4041*k*, 4041*l*, 4041*m*, 4041*n*, 4041*o*, 4041*p*, 4041*q*, 4041*r*, 4041*s*, 4041*t*, 4041*u*, 4041*v*, all relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 684—An act to repeal section 1687 of the Political Code, relating to public school teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 685—An act to repeal chapter III of title X of part IV, division III of the Civil Code, and to add a new chapter III of part IV, division III, in place thereof, all relating to limited partnerships, and to make the law relating to limited partnerships uniform with the law of other states.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 686—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of the



Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a and 11 of an act entitled "An act to provide for the formation, management, and dissolution, of county fire protection districts, and annexations thereto, setting forth the powers of such districts, and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 688—An act to amend section 204c of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties where there is a secretary of the judges of the superior court.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 690—An act to amend sections 290b, 290c, 290d and 290e of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 691—An act to amend section 3 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 692—An act to amend section 2220 of the Civil Code, relating to the purposes for which trusts may be created.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 693—An act to amend section 817 of the Penal Code of the State of California, relating to who are peace officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 694—An act to repeal sections 847 and 857 of the Civil Code, relating to trusts on real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 695—An act to amend sections 1 and 8 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 696—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 697—An act to amend sections 1490, 1494, 1495 and 1496 of the Code of Civil Procedure, relating to notice to creditors in decedent's estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 698—An act to amend sections 1598 and 1599 of the Code of Civil Procedure, relating to conveyances of decedent's property by executors or administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 699—An act to amend section 1577 of the Code of Civil Procedure, relating to the mortgage, lease or sale of real property by executors, administrators and guardians.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 700—An act to amend section 1663 of the Code of Civil Procedure, relating to partial disbursement of estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 701—An act to amend the Political Code by adding thereto a section to be known as section 6100, relating to license to act as life insurance broker.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 702—An act to amend section 984 of the Code of Civil Procedure and to add a new section thereto, to be numbered 986, relating to appeals from municipal courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 703—An act to amend section 453*bb* of the Civil Code, and to add a new section thereto to be numbered 453*hh*, relating to mortgage insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 704—An act to be known as the "Estate Tax Act," to establish a tax on legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, as amended effective August 13, 1923, and July, 1925, known as the "Inheritance Tax Act," and to repeal all acts and parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estates to nonresident persons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 706—An act to amend section 19*r*24 of the Juvenile Court Law, relating to salaries of probation officers in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 707—An act to appropriate moneys for the acquisition and construction of that certain part of the State highway system, between Big Sur, in the county of Monterey, State of California, and the southerly boundary of said county of Monterey, as provided by section 2 of article XVI of the constitution of the State of California, being a part of that highway described in said section as Carmel to San Simeon, and authorizing the use of convict labor for such construction.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Wag: Senate Bill No. 708—An act to repeal that certain act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925.

Bill read first time, and referred to Committee on Motor Vehicles.



Also: Senate Bill No. 709—An act to amend section 27 of "The California Vehicle Act," relating to registration fees.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Baker: Senate Bill No. 710—An act to amend sections 1, 4, 5, 9 and 13 of an act entitled "An act to authorize municipal corporations with the consent of the original dedicators to abandon parks and sell and convey the land embraced therein, and reinvest the proceeds from the sale thereof in the purchase of other public grounds," approved May 27, 1915.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 711—An act to provide for the formation, powers, duties, government and maintenance of health and sanitary districts in the State; to provide for the acquisition, maintenance, improvement and disposal of property by such districts, to provide for the acquisition, construction, maintenance and disposal of certain public improvements therein; to provide for the alteration of boundaries and dissolution of such districts and for the reorganization of existing sanitary districts in the State under the provisions of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hollister: Senate Bill No. 712—An act declaring all buildings and places nuisances wherein or upon which gambling is held or occurs or which are used for such purposes, and providing for the abatement and prevention of such nuisances by injunction and otherwise.

Bill read first time, and referred to Committee on Public Morals.

By Senator Breed: Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Kline: Senate Bill No. 714—An act to create a new section to be numbered section 876a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to depository funds of cities of the sixth class in banks.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 715—An act to amend section 5 of an act entitled "An act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended, and adding a new section thereto to be numbered 2 $\frac{1}{2}$ , relating to the holding of State fairs and increasing the number of directors of the State Board of Agriculture.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Sharkey: Senate Bill No. 716—An act to amend section 529 of the Civil Code, relating to corporations organized to construct toll bridges.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 717—An act to amend section 1618a of the Political Code, relating to health supervision.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 718—An act to amend an act entitled "The California Vehicle Act," approved May 30, 1923, as amended, relating to the organization of the Division of Motor Vehicles, the registration of vehicles, the regulation of traffic, and to provide penalties for the violation thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Boggs: Senate Bill No. 719—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907; April 21, 1909, and May 27, 1915.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 720—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposit of moneys in banks.

Bill read first time, and referred to Committee on Banking.

By Senator Taylor: Senate Bill No. 721—An act to add a new section to the Political Code to be numbered 4041j, relating to the building and maintenance of permanent county fair buildings by the county board of supervisors.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Ingram: Senate Bill No. 722—An act making appropriation for the erection of a monument to the soldiers who were killed in the World War, said monument to be located at or near the State boundary line in Nevada County, California, on or near the Victory highway.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Christian: Senate Bill No. 724—An act to add a new section to the Political Code to be numbered 1734*d*, providing for the exclusion of school districts annexed to city high school districts under the provisions of section 1734*a* of the Political Code.

Bill read first time, and referred to Committee on Education.

By Senator Inman: Senate Bill No. 725—An act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and employees and prescribing their duties and powers, and providing a license fee to be charged commercial gun clubs.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Wagy: Senate Bill No. 726—An act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judges.

Bill read first time, and referred to Committee on Judiciary.

By Senator Gray: Senate Bill No. 727—An act to amend section 453*hh* of the Civil Code, relating to land value insurance corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones, Ray: Senate Bill No. 728—An act to amend section 160 of the Code of Civil Procedure, relating to the holding of superior courts by judges of other counties.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 729—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 730—An act to amend section 1243 of the Code of Civil Procedure, relating to the jurisdiction of the superior court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 731—An act to provide for the establishment of setback lines by any county, city, or city and county along any present or proposed street or highway.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 732—An act to amend section 47 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties, and the rights, remedies and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons or corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this



act, and repealing title XV of part IV of division I of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1925.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 733—An act to create a highway district to be called Los Angeles Metropolitan Highway District; to provide for the acquisition, construction and maintenance of highways and of all necessary or desirable incidents thereto; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds and the levying and collecting of taxes by said district; to provide for the government and control of said district and to define the duties and powers of the officers thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Gray: Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Allen: Senate Bill No. 735—An act to amend section 928 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 736—An act to amend section 14 of an act entitled, "An act to create a flood control district, to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 737—An act to amend section 6 of an act entitled "An act to create a flood control district, to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 738—An act to amend an act entitled "An act to create a flood control district, to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, by adding a new section to be numbered section 15½.

Bill read first time, and referred to Committee on County Government.

By Senator Gray: Senate Bill No. 739—An act to add a new section to the Civil Code, to be numbered 452b, relating to mutual benefit and life insurance associations, and providing that such associations shall not pay or agree to pay any remuneration for solicitation of membership applications until they have complied with section 609 of the Political Code, and shall have procured a certificate of authority from the Insurance Commissioner, and shall have complied with all of the laws of this State applicable to such associations.

Bill read first time, and referred to Committee on Insurance.

By Senator Weller: Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 5a, 9a, 28a, 33b, 33c, 36a, and 372, relating to rate of interest on bonds, the construction of improvements in portions, the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action.

Bill read first time, and referred to Committee on Municipal Corporations.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 7—Relating to an act of Congress of the United States restraining immigration of aliens ineligible to citizenship and a proposed act changing the right to naturalization—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

Committee membership 5; committee vote: Ayes—4; noes—0; absent—1.

YOUNG, Chairman.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVEN.

Senator McKinley asked unanimous consent for the consideration of Assembly Joint Resolution No. 7.

Unanimous consent granted.

## COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the original typewritten bill, amend the title by adding after the word "citizenship" the following: "and a proposed act changing the right to naturalization."

## AMENDMENT NUMBER TWO.

On page 1 of the original typewritten bill, strike out the four paragraph recitals and insert in lieu thereof the following:

"WHEREAS, In 1921 the Legislature of the State of California by appropriate resolution urged upon the congress and federal administrative and executive officers the necessity for the continued adherence to the policy of the United States, restricting the right of citizenship and likewise protested against any attempt by treaty or otherwise to permit the immigration of ineligible aliens; and

WHEREAS, In 1924 after full investigation and consideration congress by general law prohibited the immigration of aliens ineligible to citizenship; and

WHEREAS, Various organizations have since the passage of said act persistently sought to influence congress to recede from such policy, and the adherence to said policy has been urged by the American Legion, American Federation of Labor, the Grange, and the Native Sons of the Golden West, the first three of which organizations have annually in their last three conventions by resolutions expressed their continued support of the congressional action; and

WHEREAS, There is now pending in congress a bill which is directly antagonistic to the general immigration act of 1924, and entirely out of harmony with the national policy on this subject, because said measure, to wit, the Copeland bill, S. 4505, would make eligible to American citizenship three hundred million Hindus; now therefore, be it".

## AMENDMENT NUMBER THREE.

On page 2 of the original typewritten bill, strike out the first paragraph and insert in lieu thereof the following:

"Resolved, by the Assembly and Senate of the State of California, jointly, That the Legislature of this State protests against the passage of said bill and against any character of action designed to modify the present immigration laws and reaffirms its belief that the privilege of American citizenship should continue to be restricted as at present, and that the privilege of immigration should be extended only to those people who may become citizens of the United States; and be it further".

## Amendments adopted.

## ASSEMBLY JOINT RESOLUTION No. 7.

Relating to an act of Congress of the United States restraining immigration of aliens ineligible to citizenship and a proposed act changing the right to naturalization.

WHEREAS, In 1921 the Legislature of the State of California by appropriate resolution urged upon the Congress and federal administrative and executive officers the necessity for the continued adherence to the policy of the United States, restricting the right of citizenship and likewise protested against any attempt by treaty or otherwise to permit the immigration of ineligible aliens; and

WHEREAS, In 1924 after full investigation and consideration Congress by general law prohibited the immigration of aliens ineligible to citizenship; and

WHEREAS, Various organizations have since the passage of said act persistently sought to influence Congress to recede from such policy, and the adherence to said policy has been urged by the American Legion, American Federation of Labor, the Grange, and the Native Sons of the Golden West, the first three of which organizations have annually in their last three conventions by resolutions expressed their continued support of the congressional action; and

WHEREAS, There is now pending in Congress a bill which is directly antagonistic to the general immigration act of 1924, and entirely out of harmony with the national policy on this subject, because said measure, to wit, the Copeland bill, S. 4505, would make eligible to American citizenship three hundred million Hindus; now therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of this State protests against the passage of said bill and against any character of action designed to modify the present immigration laws and reaffirms its belief that the privilege of American citizenship should continue to be restricted as at present, and that the privilege of immigration should be extended only to those people who may become citizens of the United States; and be it further



*Resolved*, That the Senators and Representatives in Congress from the State of California be urged to present the seriousness of the present situation to the attention of their colleagues and to the departments of the federal government, and to use all honorable means to prevent modification of the present naturalization and exclusion laws; and be it further

*Resolved*, That the Chief Clerk of the Assembly of the State of California be and he is hereby authorized and directed to transmit a copy of this resolution to each member of the Senate and House of Representatives of the United States.

Resolution read.

The question being on the adoption of the resolution as amended.

The roll was called, and Assembly Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Inman, Jones, Ray; Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—27.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 7 ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Weller: Senate Bill No. 741—An act to add a new section, to be numbered 13, to an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, providing a department to be devoted to the study, education, employment and general welfare of the deaf.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 742—An act to amend section 548 of the Code of Civil Procedure, relating to property under attachments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 743—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on mineral lands and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations, and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended.

Bill read first time, and referred to Committee on Mines and Mining.

By Senator Handy: Senate Bill No. 744—An act to create a new section to the Political Code, to be numbered section 2643, relating to the powers of supervisors respecting roads.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 745—An act to add a new subdivision to section 6 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, when sold or offered or exposed for sale in containers, and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," providing for the exemption of grains sold in sacks from the provisions of this act by adding to section 6 of said act, a new subdivision to be designated as subdivision (e).

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Mueller: Senate Bill No. 746—An act making appropriation to pay the claim of W. A. Sloane against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Lyon: Senate Bill No. 747—An act to establish a separate institution for the confinement, care and reformation of women convicted of crime; to provide for its maintenance, conduct and government; to provide for commitment and admission thereto and to make an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Gray: Senate Bill No. 748—An act to amend section 453 of the Civil Code, relating to mutual benefit and life insurance associations, and the manner in which and the conditions upon which such associations may do business in this State.

Bill read first time, and referred to Committee on Insurance.

By Senator Handy: Senate Bill No. 749—An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in case of warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificates and a period of redemption and for the issuance of a deed, and for subsequent sales thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Maloney: Senate Bill No. 750—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven.

Bill read first time, and referred to Committee on Judiciary.

By Senator Canepa: Senate Bill No. 751—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also (by request): Senate Bill No. 752—An act to repeal an act entitled "An act to establish a tax on collateral inheritances, bequests and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1923, as amended.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also (by request): Senate Bill No. 753—An act to add a new section to the Penal Code, to be numbered 476*b*, relating to the drawing and uttering of checks or drafts on any bank or other depository wherein the person so giving such check or draft shall not have sufficient funds or credit for the payment of the same, and providing penalties therefor.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also (by request): Senate Bill No. 754—An act to define the word "hotel" and to impose penalties for the unlawful use of the word "hotel" in connection with a business sign.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 755—An act to be known as the "True Name Bill," which makes it unlawful for any person or persons to register at any hotel, inn, boarding house, lodging house or apartment house under any name other than their own name.

Bill read first time, and referred to Committee on Judiciary.

By Senator Canepa: Senate Bill No. 756—An act to create a Department of Publicity, providing a board of managers and defining the duties of said managers and appropriating money to carry out the purposes of this act.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Canepa (by request): Senate Bill No. 757—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Weller: Senate Bill No. 758—An act licensing the business of building contractors; defining the term building contractor; presenting the method of obtaining licenses to engage in such business; fixing the bond of such building contractors and authorizing suits against such bond by persons or corporations furnishing labor or material to such building contractor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 759—An act to amend section 204 of the Code of Civil Procedure, relating to the selection of jurors in counties of the first class.

Bill read first time, and referred to Committee on Judiciary.



Also: Senate Bill No. 760—An act to amend section 206 of the Code of Civil Procedure, relating to the selection of jurors in counties of the first class.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 761—An act to amend section 640 of the Penal Code, relating to fraudulent connection with telegraph and telephone wires.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also: Senate Bill No. 762—An act to amend an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, and an act amendatory thereof, approved June 4, 1913, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors whether in county jails or in city prisons, by amending said act so as to provide that in cities of the first and one-half class where a municipal court shall have been established, the board of parole commissioners for such municipal court shall consist of three judges of the superior court and specifying grounds for parole.

Bill read first time, and referred to Committee on County Government.

By Senator Johnson: Senate Bill No. 763—An act to amend section 737*g* of the Political Code, relating to the salary of the superior judge in Santa Cruz County.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Fellom: Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Lyon: Senate Bill No. 765—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments

for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 766—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Nelson: Senate Bill No. 768—An act to amend sections 2, 33 and 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to definitions.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Weller: Senate Bill No. 769—An act to create and establish a commission for revising, systematizing and reforming the laws of the State with reference to the opening, widening, improving, vacating, lighting and changing the grade of public streets, lanes and alleys within the incorporated cities and towns of the State where the cost thereof is assessed against the property benefited thereby, and for the appointment of members of said commission, to be known as "The Commissioners for the Revision and Reform of the Street Improvement

Law," and to prescribe their powers and duties; and to authorize the appointment of a secretary and stenographer therefor and to provide for the compensation and expenses of said commissioners, secretary and stenographer, and to appropriate money therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Nelson: Senate Bill No. 770—An act to declare and regulate the powers, rights and duties of corporations organized to build dams, booms, drive and catch logs and timber products therein for compensation; and for the placing of such corporations under the control and jurisdiction of the Railroad Commission of the State of California; granting right of eminent domain; and to repeal all laws and portions of laws in conflict with this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones, Ray (by request): Senate Bill No. 771—An act to prevent unfair discrimination against California manufacturers by making it unlawful for any municipality to levy license taxes or fees against such manufacturers that are not levied against nonresident manufacturers.

Bill read first time, and referred to Committee on Manufactures.

By Senator Chamberlin: Senate Bill No. 772—An act to amend section 2 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter 589 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," and to add a new section thereto to be numbered section 2 $\frac{1}{2}$ .

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Sharkey: Senate Bill No. 773—An act to amend section 10 $\frac{1}{2}$  of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers, and prescribing a penalty for the violation of this act," approved June 16, 1913, as amended, relating to the practice of optometry.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Senate Bill No. 774—An act to amend section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same



forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Lyon: Senate Concurrent Resolution No. 17—Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall.

Referred to Committee on Finance.

By Senator Canepa: Senate Joint Resolution No. 8—Relative to memorializing and petitioning the President of the United States and Congress to establish by proper legislation a bureau or Department of Publicity.

Referred to Committee on Federal Relations.

By Senator Fellom: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of \$25,000,000 for the acquisition of rights of way for bridges and railroad crossings on the roads within the primary road system of the State of California, and for the construction of said bridges and railroad crossings by the California Highway Commission.

Referred to Committee on Constitutional Amendments.

By Senator Chamberlin: Senate Bill No. 775—An act to establish a nautical school at the port of Los Angeles, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911.

Bill read first time, and referred to Committee on Commerce and Navigation.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 14—Approving a charter of the town of Santa Clara, ratified by the qualified voters of said town at a special municipal election held therein on the fifth day of April, 1926.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 14 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Joint Resolution No. 2—Relating to the time when members elected to Congress shall take their seats;

Also: Assembly Concurrent Resolution No. 16—Relative to appointing a committee to investigate the water resources of the State.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Lyon: Senate Bill No. 776—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election.

Bill read first time, and referred to Committee on Elections.

By Senators Slater and Inman: Senate Bill No. 777—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 778—An act to amend section 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relative to the location of the principal office of the Building and Loan Commission.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 779—An act to add a new section to be numbered 644 to article XVII of chapter III, title I, part III of the Political Code, relating to the location of the principal office of the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 780—An act to amend section 122 of the "Bank Act," approved March 1, 1909, as amended, relating to the location of the principal office of the State Banking Department.

Bill read first time, and referred to Committee on Banking.

By Senator Mueller: Senate Bill No. 782—An act authorizing the Board of Control to reconvey certain real property to L. B. Collins.

Bill read first time, and referred to Committee on Finance.

By Senators Slater and Inman: Senate Concurrent Resolution No. 18—Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall.

Referred to Committee on Finance.

RECESS.

On motion of Senator Breed, at eleven o'clock and fifteen minutes a.m., the President of the Senate declared recess until eleven o'clock and twenty-five minutes a.m.

RECONVENED.

At eleven o'clock and twenty-five minutes a.m., the Senate reconvened. Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Maloney: Senate Bill No. 782—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven.

Bill read first time, and referred to Committee on Judiciary.

By Senator Swing: Senate Bill No. 783—An act to add a new section to the Political Code, to be numbered 359a, relating to the Governor's Council.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Taylor: Senate Bill No. 784—An act to amend section 4190 of the Political Code, relating to the powers of the Board of Law Library Trustees.

Bill read first time, and referred to Committee on County Government.

By Senator Swing: Senate Bill No. 785—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article XVIII, embracing sections 654 to \_\_\_\_\_, both inclusive, relating to a Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 786—An act to amend the act known as "The California Vehicle Act," approved May 30, 1923, as amended, by adding a new section thereto to be numbered 29a, transferring to and vesting in the Department of Public Works certain duties, powers, purposes, responsibilities and jurisdiction in respect to the enforcement



of certain provisions of the act heretofore vested in the Division of Motor Vehicles of the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 787—An act to add a new section to the Political Code, to be numbered 687, relating to the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 788—An act to amend sections 364, 364*a*, 364*b*, 364*c* and 364*d* of the Political Code, and to add new sections to said act to be numbered sections 364*e* to 364*i*, inclusive, relating to a Department of Industrial Relations.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 789—An act to amend section 7 of the Workmen's Compensation, Insurance and Safety Act of 1913, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 790—An act to amend the Political Code by adding new sections thereto to be numbered 692 to 692*p*, both inclusive, relating to a compensation insurance fund.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 791—An act to amend sections 363, 363*a*, 363*b*, 363*c*, 363*d*, 363*e*, 363*f* and 363*g* of the Political Code, relating to the Department of Public Works.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 792—An act to amend sections 1517, 1518, 1519, 1519*a*, 1520, and 1521 of the Political Code, relating to State educational offices.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II*a*, embracing sections 360 to 360*c*, relative to a Department of Health.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II*h*, embracing sections 367 to 367*g*, both inclusive, relating to a Department of Social Welfare.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 795—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11*h*, embracing sections 367 to 367*b*, relating to a Department of Natural Resources.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 796—An act to amend the act entitled "An act approving the report of the California Debris Commission, transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 6*a*, transferring to and vesting in the Department of Public Works certain of the powers, duties, functions, responsibilities and jurisdiction heretofore vested in and exercised by the State Regulation Board.

Bill read first time, and referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Joint Resolution No. 7—Relative to an act of Congress of the United States restraining immigration of aliens ineligible to citizenship.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 3—Relative to the protection of the McCloud River;

Also: Senate Joint Resolution No. 4—Relative to the elimination of surcharges and surtaxes on Pullman fares and chair car fares;

Also: Senate Joint Resolution No. 5—Relative to retirement of federal employees;

Also: Senate Joint Resolution No. 6—Relative to Classification Act of 1923;

Also: Senate Joint Resolution No. 7—Relative to pay increases of government employees.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Senate Joint Resolutions Nos. 3, 4, 5, 6 and 7 ordered to enrollment.  
Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 18—Relative to California's building erected at Nevada's Transcontinental Highways Exposition.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 29—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds, and making same an urgency measure;

Also: Senate Bill No. 100—An act making an appropriation to meet a deficiency in the appropriation for printing and distributing constitutional amendments submitted to the voters at the election held November 2, 1926;

Also: Senate Bill No. 144—An act making an appropriation to meet the deficiency in the appropriation for the repair of the State armory at San Francisco.

Also: Senate Bill No. 223—An act appropriating money to pay the extra compensation of judges or justices sitting in courts, by direction of the chairman of the Judicial Council, wherein the compensation of the judges or justices is greater than their own, during the period November 2, 1926, to June 30, 1927, inclusive, and prescribing the manner of payment thereof;

Also: Senate Bill No. 224—An act appropriating money to pay the necessary expenses for travel, board, and lodging incurred by judges and justices sitting in the Supreme Court and the district courts of appeal, by direction of the chairman of the Judicial Council, for the period November 2, 1926, to June 30, 1927, inclusive;

Also: Senate Bill No. 225—An act appropriating money for the support and maintenance of the Judicial Council for the period November 2, 1926, to June 30, 1927, inclusive;

Also: Senate Joint Resolution No. 2—Relative to the policy of caring for the Indians of California by the expenditure of federal appropriations through State agencies;

Also: Senate Concurrent Resolution No. 14—Approving a charter of the town of Santa Clara, ratified by the qualified voters of said town at a special municipal election held therein on the fifth day of April, 1926;

Also: Senate Bill No. 563—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace sitting in courts other than their own under assignments thereto by the chairman of the Judicial Council, for the period from November 2, 1926, to June 30, 1927, inclusive, and for the manner of payment of the necessary expenses, for said period, for travel, board and lodging of such justices and judges incurred in the discharge of such assignments, and declaring the same an urgency measure necessary for the immediate preservation of the public peace, health and safety and providing for its going into effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of January, 1927, at 11 o'clock and 40 minutes a.m.

JONES, RAY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 3—Relative to the protection of the McCloud River;

Also: Senate Joint Resolution No. 4—Relative to the elimination of surcharges and surtaxes on Pullman fares and chair car fares;

Also: Senate Joint Resolution No. 5—Relative to retirement of federal employees;

Also: Senate Joint Resolution No. 6—Relative to the Classification Act of 1923;

Also: Senate Joint Resolution No. 7—Relative to pay increases of government employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of January, 1927, at 11 o'clock and 40 minutes a.m.

JONES, RAY, Chairman.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER EIGHTEEN.

Senator Weller asked unanimous consent for the consideration of Assembly Concurrent Resolution No. 18, without reference to committee.

Unanimous consent granted.



## ASSEMBLY CONCURRENT RESOLUTION No. 18.

Relative to California's Building erected at Nevada's Transcontinental Highways Exposition.

WHEREAS, The State of California erected at the city of Reno, State of Nevada, a building to be known as "California's Building at Nevada's Transcontinental Highways Exposition"; and

WHEREAS, It would be a fitting recognition of the service rendered by those thousands of men and women who have made the supreme sacrifice for their country to dedicate this building to their memory; now, therefore, be it

*Resolved, by the Assembly, the Senate concurring.* That said building owned by the State of California, located at Reno, Nevada, and known as "California's Building at Nevada's Transcontinental Highways Exposition" be dedicated to the memory of those men and women who from pure love of country have made the supreme sacrifice that we who remain might enjoy the blessings of this wonderful country; and be it further

*Resolved,* That the management and control of said building be placed in the hands of the local post of the American Legion, located at said city of Reno, State of Nevada.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 18 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; McKinley, Mueller, Murphy, Nelson, Swing, Taylor, Tubbs, Weller, and Young—27.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 18 ordered transmitted to the Assembly.

## APPOINTMENT BY PRESIDENT.

Pursuant to the provisions of Assembly Concurrent Resolution No. 16, relative to investigating the water resources of the State, the President announced the appointment of Senators Boggs, Jones, Inman and Garrison.

## APPROVAL OF JOURNALS.

The Senate Journals of Monday, January 3; Tuesday, January 4; Wednesday, January 5; Thursday, January 6; Friday, January 7; Monday, January 10; Tuesday, January 11; Wednesday, January 12; Thursday, January 13; Friday, January 14; Monday, January 17; Tuesday, January 18; Wednesday, January 19, and Thursday, January 20, were, on motion of Senator Breed, approved as corrected.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Young: Senate Bill No. 797—An act to amend section 632 of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Inman: Senate Bill No. 798—An act to amend section 7 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, pro-

viding for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a state mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1913, relating to the location of the offices, library, museum, and laboratory of the State Mining Bureau.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 799—An act to amend section 592 of the Political Code, relating to the place of the office of the Insurance Commissioner.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 800—An act to amend section 364*d* of the Political Code, relating to the location of the offices of the Department of Labor and Industrial Relations.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 801—An act to amend section 8 of the "Public Utilities Act," approved April 23, 1915, as amended, relating to the location of the principal office of the Railroad Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Mueller: Senate Bill No. 802—An act to add a new section to the Political Code to be numbered 4234*a*, relating to compensation of sealers of weights and measures in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Jones, H. C.: Senate Bill No. 803—An act to provide for the appointment, employment, and compensation of the officers and employees of the Judicial Council of the State of California, and for the incidental expenses and disbursements of said council.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 804—An act to amend section 737 of the Political Code, relating to salaries of the judges of the superior court, and to repeal sections 737*b*, 737*c*, 737*d*, 737*e*, 737*g*, 737*h*, 737*j*, 737*k*, 737*m*, 737*n*, 737*o*, 737*p*, 737*r*, 737*a*, 737*w*, 737*ab*, 737*ve*, 737*eee*, 738, 738*a*, 738*c*, 738*d*, and 738*b*, of the Political Code.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 805—An act to provide for the appointment, employment and compensation of the officers and employees of the Supreme Court of the State of California, and for the incidental expenses and disbursements of said court.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 806—An act to amend section 1608 of the Political Code, relating to the powers and duties of school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, providing penalties and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

Also: Senate Bill No. 808—An act to amend section 4463 of the Political Code, relating to newspapers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 809—An act to amend section 737*w* of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara.

Bill read first time, and referred to Committee on Governmental Efficiency.

Also: Senate Bill No. 810—An act to amend section 323 of the Political Code, relating to time when statutes take effect.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 811—An act establishing a Bureau of Public Health Nursing, defining the powers and duties thereof and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senators Jones, H. C., and Young: Senate Bill No. 812—An act establishing and creating the deciduous fruit experiment station, providing for investigation, research and demonstration in regard to deciduous fruits and nuts, including olives and figs, making an appropriation to carry out the purposes of this act, and to repeal those two certain acts designated respectively as chapter 571 of the Statutes



of 1919 and entitled "An act appropriating money for investigation, research and demonstration by the Department of Agriculture of the University of California in regard to deciduous fruits and nuts, including olives and figs," approved May 27, 1919; and chapter 744 of the Statutes of 1921 entitled "An act appropriating money for investigation, research and demonstration by the Department of Agriculture of the University of California with regard to deciduous fruits and nuts, including olives and figs," approved June 3, 1921.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Jones, H. C.: Senate Bill No. 813—An act to amend section 633 of the Civil Code, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

Also: Senate Bill No. 814—An act relating to intoxicating liquors, making it a felony to own, operate or knowingly possess any still used, designed or intended for the manufacture of intoxicating liquor, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 815—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, amended 1915; amended 1921; amended 1925, by amending section 1 and adding a new section to be numbered 7½, relating to the conduct of training schools for nurses.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 816—An act making an appropriation for the construction and equipment of buildings for the junior high school and intermediate grades at the San Jose State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Inman: Senate Bill No. 817—An act relating to actions against a person carrying insurance against loss or damage resulting from injury to another person when the insured person is bankrupt or insolvent or without property sufficient to satisfy execution on account of loss or damage insured against, relating further to the levy of execution directly against the insurance company and requiring the policy to be exhibited in certain cases.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 818—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905." approved May 31, 1917, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 820—An act to amend section 1387 of the Code of Civil Procedure, relating to executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 821—An act to repeal section 1756 of the Code of Civil Procedure, relating to letters of guardianship.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones, H. C.: Senate Bill No. 822—An act to provide for the creation of a commission for the study of the problem of public education beyond the high school grade in California.

Bill read first time, and referred to Committee on Education.

By Senator Nelson: Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered section-----, providing for the supervision of ports by the Department of Public Works.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Mueller: Senate Bill No. 824—An act to amend section 4149d of the Political Code, relating to game wardens.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Garrison: Senate Bill No. 825—An act to amend section 1313 of the Civil Code, relating to devises for charitable purposes.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 826—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths: the appointment of State and local registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for the

violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 827—An act to amend section 6 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act, as amended.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 828—An act to amend section 599f of the Penal Code, relating to the killing of elk.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Jones, H. C.: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California, that a new section to be numbered 22 to be added to article XX, of the constitution of said State, relating to civil service.

Referred to Committee on Constitutional Amendments.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 4—Approving amendment to the charter of the county of San Bernardino, State of California;

Also: Senate Concurrent Resolution No. 12—Approving eleven certain amendments to the charter of the city of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 12, 1926;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of January, 1927, at 11 o'clock and 55 minutes a.m.

JONES, RAY, Chairman.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That a committee of three be appointed by the President of the Senate to notify the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Crowley adopted.

#### APPOINTMENT BY THE PRESIDENT.

In accordance with the above resolution, Senators Slater, Crowley and Chamberlin were named by the President as the committee to



inform the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communication to transmit to the Senate.

#### RESOLUTION.

The following resolution was offered:

By Senator Mueller:

*Resolved*, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communication to transmit to the Senate.

Resolution read, and on motion of Senator Mueller adopted.

#### APPOINTMENT BY THE PRESIDENT.

In accordance with the above resolution, Senators Mueller, Allen, J. M., and Weller were named by the President as the committee to inform the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communication to transmit to the Senate.

#### REPORT OF COMMITTEE.

Senator Crowley, as chairman of the committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn for the constitutional recess, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

#### REPORT OF COMMITTEE.

Senator Mueller, as chairman of the committee appointed to inform the Assembly of the readiness of the Senate to adjourn for the constitutional recess, reported that the committee had delivered the message of the Senate and had been requested by the Assembly to inform the Senate that the Assembly had no further communication to transmit as they were prepared to adjourn for the constitutional recess.

#### APPROVAL OF THE MINUTES.

The minutes of this day, Friday, January 21, 1927, were read, and on motion of Senator Breed approved as read.

#### ADJOURNMENT.

Thereupon at twelve o'clock noon, on motion of Senator Breed, in accordance with the provisions of Assembly Concurrent Resolution No. 7, Lieutenant Governor Buron R. Fitts, President of the Senate, declared the Senate adjourned for the constitutional recess, to reconvene at twelve o'clock noon on Wednesday, February 23, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, February 23, 1927.

Pursuant to the provisions of Assembly Concurrent Resolution No. 7, the Senate reconvened at the hour of twelve o'clock noon.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names.

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Felloin, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—37.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## LEAVES OF ABSENCE.

Senator Chamberlin was, on motion of Senator Evans, granted leave of absence for this day.

Senator Johnson was, on motion of Senator Breed, granted leave of absence for Wednesday, Thursday and Friday of this week.

Senator Allen, J. M., was, on motion of Senator Handy, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Murphy, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Joseph Marino, business manager Marine Engineers' Benevolent Association.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George B. Bush, attorney, from Los Angeles, and W. G. Irving of Riverside, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. A. R. Asbill of Middletown, California, and William D'Egilbert of Oakland, California.

## REMARKS BY SENATOR BREED.

Senator Breed asked that unanimous consent be granted for the absence of Senator M. B. Johnson for the present week, and also that the Secretary of the Senate be instructed to advise Senator Johnson of this action and to extend to him the sympathy of this body and to wish him a speedy recovery from his recent serious operation.

## RESOLUTION.

The following resolution was offered:

By Senator Slater:

*Resolved*, That the President of the Senate appoint a special committee of three to notify the Governor that the Senate has reconvened after the constitutional recess, in accordance with Assembly Concurrent Resolution No. 7, and is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Slater adopted.

## APPOINTMENT OF SPECIAL COMMITTEE.

Pursuant to the provisions of the above resolution, the president announced the appointment of Senators Slater, Murphy and Mueller as a special committee to notify the Governor that the Senate had reconvened.

## RESOLUTION.

The following resolution was offered:

By Senator Weller:

*Resolved*, That the President of the Senate appoint a special committee of three to notify the Assembly that the Senate has reconvened after the constitutional recess, in accordance with Assembly Concurrent Resolution No. 7, and is ready to proceed with the business of the State.

Resolution read, and on motion of Senator Weller adopted.

## APPOINTMENT OF SPECIAL COMMITTEE.

Pursuant to the provisions of the above resolution, the President announced the appointment of Senators Weller, Ray Jones and Young as a special committee to notify the Assembly that the Senate had reconvened.

## RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons previously elected to the statutory offices set forth below be and the same are hereby directed to reassume their official duties. The compensation set opposite their names is to be payable weekly and the Controller is hereby directed to draw his warrants for the said amounts and the Treasurer is hereby directed to pay the same:

Harold J. Powers, Minute Clerk	-----\$9 00 per day
Rev. Bryant Wilson, Chaplain	-----4 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

## APPOINTMENTS BY SECRETARY.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that in accordance with the authority vested in me by section 237 of the Political Code, I have this day appointed Albert Brady, Assistant Secretary and Clerk of the committee on printing, at a per diem of \$9.00; Fred Cairns, Assistant Secretary, at a per diem of \$7.00, and Walter Lindersmith, Assistant Secretary, at a per diem of \$7.00, and respectfully ask the consent of the Senate thereto.

J. A. BEEK, Secretary of the Senate.



Senator Breed moved the appointments be confirmed by the Senate.  
The question being upon the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is hereby directed to pay the same:

A. Craner, Assistant at Desk-----\$5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

#### APPOINTMENT BY THE SERGEANT-AT-ARMS.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that I have this day appointed Harry Caro bookkeeper to the Sergeant-at-Arms, at per diem of \$5, and respectfully ask the consent of the Senate thereto.

JOS. F. NOLAN, Sergeant-at-Arms.

Senator Breed moved the appointment be confirmed by the Senate.

The question being upon the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

#### APPOINTMENT OF SPECIAL COMMITTEES.

Pursuant to the provisions of Senator Weller's resolution, the President announced the appointment of Senators Weller, Ray Jones and Young as a special committee to notify the Assembly that the Senate had reconvened.

Pursuant to the provisions of Senator Slater's resolution, the President announced the appointment of Senators Slater, Murphy and Mueller as a special committee to notify the Governor that the Senate had reconvened.

#### RESOLUTION.

The following resolution was offered:

By Senator Inman:

WHEREAS, In the fair city by the Golden Gate there will be soon held a fete known as the Mardi Gras; and

WHEREAS, A king is to be chosen to preside over these festivities; and  
 WHEREAS, A king must have kingly attributes, which comprise among other things a handsome countenance, the figure of an Adonis and the manners of a Chesterfield; and

WHEREAS, This Senate boasts a member who possesses all these qualifications, and many others, in the person of Senator Tallant Tubbs; and

WHEREAS, Said Senator Tallant Tubbs has been prominently mentioned as a candidate for such honors, and is known to be in a receptive mood; therefore, be it

*Resolved*, That this Senate go on record as favoring our colleague, and we solicit the approval of the people promoting said Mardi Gras of our Senator Tubbs, to the end that he may be selected as king, that he may represent not only the people of his city, but that all the people of the State may look upon his manly beauty and see there represented a fair sample of the men of this State that go to make up the personnel of this body; and be it further

*Resolved*, That a copy of these resolutions be forwarded to the proper persons in the city of San Francisco.

Resolution read, and on motion of Senator Inman adopted.

#### USE OF SENATE CHAMBER GRANTED.

Senator Jones, H. C., asked and was granted unanimous consent for the use of the Senate Chamber for a public hearing on Senate Bill No. 511 by the Committee on Judiciary on Monday evening, February 28.

#### REPORTS OF SPECIAL COMMITTEES.

Senators Slater, Murphy and Mueller, the special committee appointed to notify the Governor that the Senate had reconvened and was ready to receive any communication he might desire to make, reported that His Excellency had advised the committee that he was pleased to note that the Senate had reconvened, and that he had no communication to present to the Senate at this time.

Senators Weller, Ray Jones and Young, the special committee appointed by the President to notify the Assembly that the Senate had reconvened and was ready to receive any communication the Assembly might make, reported that they had communicated with the Assembly as directed.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 23, 1927.

*To the Senate of the State of California.*

I have the honor to inform your honorable body that since the recess of the forty-seventh session of the Legislature was taken on the twenty-first day of January, 1927, I have made the following appointments and request your confirmation thereof and consent thereto:

February 11, 1927, C. L. Tilden of Alameda a member of the Board of State Harbor Commissioners, vice William A. Sherman, resigned.

February 11, 1927, Frank C. Sykes of San Francisco a member of the Board of State Harbor Commissioners, vice J. B. Sanford, resigned.

February 11, 1927, Paul Scharrenberg of San Francisco a member of the Board of State Harbor Commissioners, vice J. Sherman McDowell, resigned.

Respectfully submitted,

C. C. YOUNG, Governor.

Above message referred to Committee on Rules.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, February 23, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following message from the Governor:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, February 23, 1927.

*To the Senate of the State of California.*

I have the honor to inform your honorable body that since the recess of the forty-seventh session of the Legislature was taken on the twenty-first day of January, 1927, I have made the following appointments and request your confirmation thereof and consent thereto:

February 11, 1927, C. L. Tilden of Alameda a member of the Board of State Harbor Commissioners, vice William A. Sherman, resigned.

February 11, 1927, Frank C. Sykes of San Francisco a member of the Board of State Harbor Commissioners, vice J. B. Sanford, resigned.

February 11, 1927, Paul Scharrenberg of San Francisco a member of the Board of State Harbor Commissioners, vice J. Sherman McDowell, resigned.

Respectfully submitted.

C. C. YOUNG, Governor.

Has had the same under consideration, and respectfully reports the same back, and recommends that the Senate confirm and consent to the above appointments.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

## MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Breed moved that the Senate confirm and consent to the several appointments of the Governor.

The President put the question: Will the Senate confirm and consent to the appointment of C. L. Tilden of Alameda as a member of the Board of State Harbor Commissioners, vice William A. Sherman, resigned?

The roll was called, with the following result:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Thereupon the President announced that the Senate had confirmed and consented to the appointment of C. L. Tilden of Alameda, vice William A. Sherman, resigned.

The President put the question: Will the Senate confirm and consent to the appointment of Frank C. Sykes of San Francisco as a member of the Board of State Harbor Commissioners, vice J. B. Sanford, resigned?

The roll was called, with the following result:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Thereupon the President announced that the Senate had confirmed and consented to the appointment of Frank C. Sykes of San Francisco, vice J. B. Sanford, resigned.

The President put the question: Will the Senate confirm and consent to the appointment of Paul Scharrenberg of San Francisco as a member of the Board of State Harbor Commissioners, vice J. Sherman McDowell, resigned?



The roll was called, with the following result:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Thereupon the President announced that the Senate had confirmed and consented to the appointment of Paul Scharrenberg of San Francisco, vice J. Sherman McDowell, resigned.

#### MESSAGE FROM THE ASSEMBLY.

Messrs. Williamson, Gant and Lyons, a special committee from the Assembly, appeared before the bar of the Senate and presented the following message:

*Resolved*, That the Chief Clerk of the Assembly be directed to notify the Senate that the Assembly has reconvened, pursuant to Assembly Concurrent Resolution No. 7, adopted on January 18, 1927, and is ready to proceed with the business of the State, with all officers heretofore elected present, to wit:

Speaker .....	Honorable Edgar C. Levey
Speaker pro tempore.....	Honorable William M. Byrne
Chief Clerk.....	Arthur A. Ohnimus
Minute Clerk.....	Louis F. Erb
Chaplain.....	Rev. A. Watson Brown
Sergeant-at-Arms.....	William J. McQuillan

#### PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

Resolution of the Board of Trustees of the City of El Centro, California:

WHEREAS, A so-called "Two-Platoon Bill" (Assembly Bill No. 20) was on January 11, 1927, introduced by Assemblywoman Woodbridge, of Placer County, and referred to the Committee on Labor and Capital; and,

WHEREAS, A companion bill (Senate Bill No. 214) was on January 18, 1927, introduced by Senator Maloney, San Francisco, and referred to the Committee on Municipal Corporations; and,

WHEREAS, If either of said proposed bills should be enacted into law, it would render it mandatory for all counties, city and county, cities, towns, districts, or other political subdivisions of this State either to increase the number of the present members of their paid fire departments (the cost of which would be out of all proportion to the benefits derived or added protection extended), or (if such step could not be afforded) to "split" their present fire forces into two shifts or platoons, thereby greatly impairing the departments' efficiency; and,

WHEREAS, Cities and towns of the sixth class—the smallest municipalities of the State—would be the greatest sufferers if such proposed legislation were enacted; and,

WHEREAS, It is the consensus of opinion that said question is one for the self-determination of the various communities that would be affected, by reason of different conditions that prevail in various parts of the State and the varying sizes of the communities; and that such a measure should not be arbitrarily imposed upon them by legislation. Now, therefore, be it

*Resolved*, By the board of trustees of the city of El Centro, California, that this board go on record as opposing and being unalterably opposed to said Senate Bill No. 214 and said Assembly Bill No. 20; and be it further

*Resolved*, That the clerk of this board be and he is hereby authorized and instructed forthwith to send to each of our Representatives in the Legislature, the Assembly Committee on Labor and Capital, the Senate Committee on Municipal Corporations, and to His Excellency Governor C. C. Young a certified copy of the resolution.

State of California, }  
County of Imperial, } ss.  
City of El Centro. }

I, J. C. Neale, City Clerk of the city of El Centro, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted at a regular meeting of the board of trustees of said city of El Centro, California, held on the 16th day of February, 1927.

Witness my hand and the seal of said city of El Centro this 17th day of February, 1927.

J. C. NEALE,  
City Clerk of the City of El Centro, California.  
By JACK MOORE, Deputy.

[SEAL]

# RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Cara B. Byrne, Chief Stenographer	\$6 00
Estelle Bazo	5 00
Lillian Scott	5 00
Ruth E. Hopps	5 00
M. Neva Gregg, Clerk of Judiciary Committee	6 00
Dorothy Reese	5 00
Verda Roberts	5 00
Agnes Shearer	5 00
Margaret Bridges	5 00
Beatrice Beckley	5 00
Gertrude Emerick	5 00
George Cartwright	5 00
Pearl R. Power	5 00
Arabel M. Hoxie	5 00
Dorothy Frame	5 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

# ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

# IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, February 24, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

# ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, February 23, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Chamberlin was, on motion of Senator Evans, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles E. Bennett of Los Angeles, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. H. Christie, Mayor of Emeryville, California.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ex-Senator L. L. Dennett of Modesto, California.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Allen:

*To Senator Newton M. Allen, Los Angeles, California.*

A petition for weekday religious education in California, on released time from the public schools, outside the public school buildings:

We, the undersigned citizens and registered voters of your district, do hereby respectfully urge you to give your support to the passage of the Cobb bill (Senate Bill No. 145), providing for weekday religious education in California on released time from the public schools, outside the public school buildings.

GEORGE A. VARNER,  
And 37 others.

## RESOLUTIONS.

The following resolutions were offered:

By Senator West:

WHEREAS, During the recess of the present session death has called to his last rest Mr. Charles M. Jackson, the accredited correspondent of the San Francisco Bulletin to this Legislature; and

WHEREAS, The late Charles M. Jackson was a gentleman of extraordinary ability and education and had endeared himself to the members of this Legislature by his manly, lovable character, and his fairness in the publication of and comments on current events; and

WHEREAS, In the death of Mr. Jackson the State of California has suffered a very real loss of an upright, honorable and capable man, and in literature a bright and shining light; now, therefore, be it

*Resolved*, By the Senate of the State of California, that when this session adjourns today it stands adjourned out of memory and respect to the late Charles M. Jackson.

Resolution read, and on motion of Senator West adopted by a unanimous rising vote of the Senate.

By Senator Crowley:

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation



set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Carrie Garrison, File Clerk	\$7 00	per day
Marybelle Wallace, Journal Clerk	7 00	per day
Beatrice B. Rheinstrom, Enrolling Clerk	7 00	per day
Lillian Boyd, Assistant Enrolling Clerk	5 00	per day
Erma McKinley, Assistant Engrossing and Enrolling Clerk	5 00	per day
A. R. Sweeney, Stenographer	5 00	per day
John L. Talt, Clerk Finance Committee	6 00	per day
John T. Young, Assistant Sergeant-at-Arms	5 00	per day
Wellington Bowser, Assistant Journal Clerk	5 00	per day
Mrs. Clinton Dodge, Press Mailing Clerk	4 00	per day
J. A. Roberts, Assistant Sergeant-at-Arms	5 00	per day
Mrs. H. J. Carter, Postmistress	4 00	per day
Mrs. H. E. Newsom, Assistant Postmistress	4 00	per day
T. Lafayette, Assistant Sergeant-at-Arms	5 00	per day
M. Nankervis, Assistant Sergeant-at-Arms	5 00	per day
Gladys Cox, Stenographer	5 00	per day
F. E. Dalin, Assistant at the Desk	5 00	per day
Mrs. Ida Kenyon, Press Mailing Clerk	4 00	per day
Ruth Fuller, Assistant Engrossing and Enrolling Clerk	5 00	per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

#### By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300.00), for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Senator Allen, J. M., moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West and Young—36.

NOES—None.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

##### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 23, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

JONES, H. C., Chairman.

Senate Bill No. 19 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 85—An act to amend section 369b of the Penal Code, relating to the transportation of live stock on railroads;

Also: Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption;

Also: Senate Bill No. 619—An act validating the formation and organization, and determining the boundaries of East Side County Water District, in the county of Santa Clara, State of California;

Also: Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

JONES, H. C., Chairman.

Senate Bills Nos. 85, 154, 619 and 620 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; Noes—1; Absent—4.

JONES, H. C., Chairman.

Senate Bill No. 9 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 511—An act to revise an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that said amendments be adopted, and that it be re-referred to Committee on Judiciary.

JONES, H. C., Chairman.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 511—An act to revise an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 11, 12, 13, 14, 15, 16 and 17, and insert in lieu thereof:

SEC. 2. Any person who commits, conspires to commit, or by overt act aids and abets the commission of the unlawful acts described in section 1 hereof as 'criminal syndicalism,' is guilty of a felony and punishable by imprisonment in the state prison not less than one nor more than fourteen years.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 23, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 23—An act to amend section 2969 of the Civil Code, relating to levy of writs of attachments and executions;

Also: Senate Bill No. 111—An act to amend section 17 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to probation committees;

Also: Senate Bill No. 161—An act creating a commission on uniform state laws and prescribing the power and duties thereof;

Also: Senate Bill No. 202—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*af*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same;

Also: Senate Bill No. 248—An act to add a new section to the Code of Civil Procedure, to be numbered 953*d*, relating to notices of entry of judgments and orders;

Also: Senate Bill No. 249—An act to amend section 1875 of the Code of Civil Procedure, relating to judicial notice;

Also: Senate Bill No. 291—An act to amend section 729 of the Code of Civil Procedure, relating to the oath and undertaking of commissioner, report and account of sale and compensation of commissioner on foreclosure proceedings;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

JONES, H. C., Chairman.

Senate Bills Nos. 23, 111, 161, 202, 248, 249 and 291 ordered on file for second reading.

#### APPOINTMENTS BY THE PRESIDENT.

*To the Senate of the State of California.*

I beg leave to inform you that I have appointed Elmo Sullivan, Neil Fellom, Boyd Garrison, and Robert West as pages, at a per diem of \$2.50, and respectfully request the consent of the Senate thereto.

BURON FITTS, President of the Senate.

Senator Breed moved that the Senate confirm the appointments by the President of the Senate.

The question being on the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

#### CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER NINE.

Senator Christian asked unanimous consent for the consideration of Senate Joint Resolution No. 9, at this time, without reference to committee.

Unanimous consent granted.

#### SENATE JOINT RESOLUTION No. 9.

Relating to retirement pay for emergency officers of the World War.

WHEREAS, For seven years legislation has been pending in the Congress of the United States designed to provide retirement privileges for emergency officers of the Army of the United States who became disabled in line of duty during the World War; and

WHEREAS, The emergency officers of the Navy and Marine Corps of the United States who became disabled in line of duty during the World War have been, under laws enacted by the Congress, retired upon exactly the same basis as regular and provisional officers of the Army, Navy, and Marine Corps of the United States who became disabled in line of duty during the World War have been retired; and

WHEREAS, The so-called Tyson Bill, S. No. 3027, now pending in the United States Senate, and the so-called Fitzgerald Bill, H. R. No. 4548, now pending in the House of Representatives, are designed to provide retirement privileges for the more seriously disabled emergency Army officers of the World War and thus remove the unjust discrimination which has heretofore obtained against such officers; now, therefore, be it

*Resolved by the Senate and Assembly of the State of California, jointly.* That the Legislature of the State of California do, and it hereby does, approve of legislation in the Congress of the United States for the retirement of emergency officers of the Army of the United States who became disabled in line of duty during the World War on a basis equally as favorable as has already been provided for emergency officers of the Navy and Marine Corps and regular and provisional officers of the



Army, Navy, and Marine Corps of the United States who became disabled in line of duty during the World War, and urges the United States Senators and members of the House of Representatives from the State of California actively to support such legislation; and be it further

*Resolved*, That a copy of this resolution be forthwith transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives, and to the United States Senators and members of the House of Representatives from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 9 adopted by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—37.

NOES—None.

Senate Joint Resolution No. 9 ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following concurrent resolution was introduced:

By Senator West: Senate Concurrent Resolution No. 19—Relative to reports of the Department Encampment and the Annual Convention of the Spanish-American War Veterans and the American Legion of the Department of California, respectively.

Referred to Committee on Military Affairs.

#### REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Kline:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to powers and duties of board of directors.

Request referred to Committee on Rules.

By Senator Maloney:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

To amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Request referred to Committee on Rules.

By Senator Sharkey:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act appropriating money to be used under certain specified conditions by federal authorities in deepening Suisun Bay channel from Martinez to Antioch, California.

Request referred to Committee on Rules.

## PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

Resolutions in relation to legislation affecting bee culture:

We, the San Diego Honey Producers' Protective Association, of the county of San Diego, State of California, having had brought to our attention Assembly Bill No. 298, introduced January 18, 1927, and referred to Committee on Agriculture, and having considered the same, upon motion duly seconded and unanimously carried, do hereby adopt the following resolution:

Be it, and it is hereby

*Resolved*, By the San Diego Honey Producers' Protective Association, of the county of San Diego, State of California, that we do protest against the passage by the Legislature of the State of California of Assembly Bill No. 298, introduced January 18, 1927, known as "California Apiary Inspection Act," which said act takes the appointment of bee inspectors and control of the honey business from county boards of supervisors and places said appointments under the State Commissioner of Agriculture; and be it, and it is hereby

*Resolved*, That we do hereby request the Senator and Assemblymen from this county to oppose this bill and any other similar bills that may be substituted therefor; and be it, and it is hereby

*Resolved*, That copies of this resolution be sent to the Senator and Assemblymen from this county with the recommendation that they oppose all such legislation in so far as it is possible to make opposition.

Adopted by the San Diego Honey Producers' Protective Association of the county of San Diego, State of California, February 9, 1927.

GEO. B. DICKERSON, President,  
And 7 others.

## ADJOURNMENT.

At eleven o'clock and fifty-eight minutes a.m., on motion of Senator West, the President declared the Senate adjourned out of respect to the memory of the late Charles M. Jackson, accredited correspondent of the San Francisco Bulletin to this Legislature.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, February 25, 1927.

The Senate met at eleven o'clock a. m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Thursday, February 24, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senators Hurley and Christian were, on motion of Senator West, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to J. C. Lamb, tax collector of Orange County, California; William C. Jerome, auditor of Orange County, and R. N. Blackburn of Coachella, California.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to M. N. Waggoner of Nevada City, California.

On request of Senator Taylor, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George T. Bliss, M.D., of Spadra, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George R. Wells of Santa Ana, California.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to R. V. Garrod, State president of the Farmers' Union.

## MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

## EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

SACRAMENTO, February 25, 1927.

*To the Senate and Assembly of the State of California.*

Assembly Bill No. 962 makes an appropriation to meet the deficiency in the appropriation for support of Folsom Prison for the seventy-seventh and seventy-eighth fiscal years.

Assembly Bill No. 963 makes an appropriation to meet the deficiency in the appropriation for support of San Quentin Prison for the seventy-seventh and seventy-eighth fiscal years.

Assembly Bill No. 964 makes an appropriation to meet the deficiency in the appropriation for salaries at San Quentin Prison for the seventy-seventh and seventy-eighth fiscal years.

Assembly Bill No. 965 makes an appropriation to meet the deficiency in the appropriation for salaries of the Railroad Commission for the seventy-seventh and seventy-eighth fiscal years.

Assembly Bill No. 966 makes an appropriation to meet the deficiency in the appropriation for support in the Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years.

Assembly Bill No. 967 makes an appropriation to meet the deficiency in the appropriation for salaries in the Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years.

Assembly Bill No. 968 makes an appropriation to meet the deficiency in the appropriation for printing, binding and all other work performed and materials furnished for the Division of Printing of the Department of Finance to the Legislature for the seventy-seventh and seventy-eighth fiscal years.

Assembly Bill No. 969 makes an appropriation to meet the deficiency in the appropriation for compensation benefits for State officers and employees for the seventy-seventh and seventy-eighth fiscal years.

In my opinion the appropriations necessary for such expenditures during the seventy-seventh and seventy-eighth fiscal years constitute an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of these bills as emergency bills.

Respectfully submitted,

C. C. YOUNG, Governor.



## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sharkey to introduce a bill entitled "An act appropriating money to be used under certain specified conditions by federal authorities in deepening Suisun Bay Channel from Martinez to Antioch, California—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called.

## CALL OF THE SENATE.

Pending the announcement of the vote, Senator Sharkey moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellon, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, Weller, West, and Young—32.

The Secretary announced the absentees.

Time, eleven o'clock and ten minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

## FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirteen minutes a.m., further proceedings under the call of the Senate were dispensed with on motion of Senator Sharkey.

The Secretary was directed to call the roll on the adoption of the report of the Committee on Rules of the Senators who had not answered to their names.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellon, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, Weller, West, and Young—32.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bill was introduced:

By Senator Sharkey: Senate Bill No. 829—An act appropriating money to be used under certain specified conditions by federal authorities in deepening Suisun Bay channel from Martinez to Antioch, California.

Bill read first time, and referred to Committee on Commerce and Navigation.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Kline to introduce a bill entitled—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to powers and duties of board of directors—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, Weller, West and Young—32.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC. (RESUMED).

By Senator Kline: Senate Bill No. 830—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to powers and duties of board of directors.

Bill read first time, and referred to Committee on Irrigation.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Maloney to introduce a bill entitled—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, West, and Young—32.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Maloney: Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Bill read first time, and referred to Committee on Judiciary.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read.

## ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 494—An act to amend section 4267 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the thirty-eighth class, and fixing the mileage and per diem of grand and trial jurors in such counties—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

HANDY, Vice Chairman.

Senate Bill No. 494 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 6—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class;

Also: Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class;

Also: Senate Bill No. 344—An act to amend section 4268 of the Political Code, and to add a new section thereto to be numbered 4268a, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class;

Also: Senate Bill No. 442—An act to amend section 19r14 of the "Juvenile Court Law" approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fourteenth class;

Also: Senate Bill No. 468—An act to amend section 2322r24, relating to the office of the horticultural commissioners in counties of the twenty-third class;

Also: Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class;

Also: Senate Bill No. 665—An act to amend section 2322r42 of the Political Code, relating to salaries of horticultural commissioner in the counties of the forty-second class;

Also: Senate Bill No. 706—An act to amend section 19r24 of the Juvenile Court Law, relating to salaries of probation officers in counties of the twenty-fourth class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

HANDY, Vice Chairman.

Senate Bills Nos. 6, 131, 344, 442, 468, 530, 665 and 706 ordered on file for second reading.

## ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 81—An act to amend sections 8 and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to narcotic drugs—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

CROWLEY, Chairman.

Senate Bill No. 81 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 618—An act to amend an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement dis-



tricts in any part of the State, to facilitate the extermination of mosquitoes, flies, and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, by adding a new section thereto to be numbered 6a, declaring breeding places for mosquitoes to be a public nuisance and providing for the abatement thereof;

Also: Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CROWLEY, Chairman.

Senate Bills Nos. 618 and 73 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 811—An act establishing a bureau of public health nursing, defining the powers and duties thereof, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CROWLEY, Chairman.

Senate Bill No. 811 referred to Committee on Finance.

#### ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, February 24, 1927.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 8—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system based on investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to the appointment and salaries of the State Civil Service Commissioners has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

Senate Bill No. 8 ordered on file for second reading.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor:

Also: Senate Bill No. 493—An act to add a new section to the Political Code to be numbered 1731a, relating to schools;

Also: Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SLATER, Chairman.

Senate Bills Nos. 152, 493 and 469 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 86—An act to amend section 1740 of the Political Code, relating to meeting places of high school boards—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

SLATER, Chairman.

Senate Bill No. 86 ordered on file for second reading.

## ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 359—An act to establish institutions for the confinement, treatment and rehabilitation of narcotic addicts; to provide for the government and maintenance thereof; to provide for commitment and admission to such institutions; to provide penalties for violations of any of the provisions of this act; to provide a fund for the establishment and maintenance of such institutions, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be printed with amendments, and re-referred to Committee on Public Health and Quarantine.

CROWLEY, Chairman.

PROPOSED AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FIFTY-NINE, AS RECOMMENDED BY COMMITTEE ON PUBLIC HEALTH AND QUARANTINE.

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 14 to 17, inclusive, and insert in lieu thereof the following:

Sec. 5. The department is empowered, with the approval of the state board of health, to select an isolated suitable site, or sites, for the institutions and subject to the approval of the board of control to purchase such site or sites. The board of control shall erect suitable buildings upon the site or sites purchased and supply them.

Senate Bill No. 359 ordered printed with above proposed amendments.

## ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25, and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for president and vice president of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be amended, and re-referred to Committee on Elections.

FELLOM, Chairman.

PROPOSED AMENDMENTS TO SENATE BILL NUMBER NINETY, AS RECOMMENDED BY COMMITTEE ON ELECTIONS.

## AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the word "an" and insert in lieu thereof the word "the".

## AMENDMENT NUMBER TWO.

On page 2, line 2, strike out the word "any" and insert in lieu thereof the words "the August".

## AMENDMENT NUMBER THREE.

On page 2 strike out the word "to" in line 3, and strike out lines 4, 5, 6 and 7, and the words "The August primary election", in line 8, and insert in lieu thereof the word "thereto".

## AMENDMENT NUMBER FOUR.

On page 3, line 11, strike out the words "intending to affiliate", and insert in lieu thereof the word "affiliated".

## AMENDMENT NUMBER FIVE.

On page 4, lines 49 and 50, strike out the words "and at least forty-five days before a primary election other than the August primary",

## AMENDMENT NUMBER SIX.

On page 5 strike out all of line 14 after the word "election"; strike out lines 15, 16 and 17, and strike out the word "election" in line 18.

## AMENDMENT NUMBER SEVEN.

On page 5, line 47, strike out the word "thereof".

## AMENDMENT NUMBER EIGHT.

On page 6, line 30, strike out the comma and insert a period.

## AMENDMENT NUMBER NINE.

On page 6, line 31, strike out the words "and such" and insert in lieu thereof the word "all".

## AMENDMENT NUMBER TEN.

On page 7, after line 14, insert  
"Examined and certified by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Registrar of Voters—County Clerk."

## AMENDMENT NUMBER ELEVEN.

On page 7, line 32, of the printed bill, after the word "declarations" insert the words "of candidates".

## AMENDMENT NUMBER TWELVE.

On page 7, line 36, after the comma, insert "state senators and assemblymen".

## AMENDMENT NUMBER THIRTEEN.

On page 7, line 39, strike out the word "any" and insert in lieu thereof the word "the".

## AMENDMENT NUMBER FOURTEEN.

On page 8, line 33, strike out the comma.

## AMENDMENT NUMBER FIFTEEN.

On page 8, line 43, strike out the word "Poltical" and insert in lieu thereof the word "Political".

## AMENDMENT NUMBER SIXTEEN.

On page 8, strike out all of line 44 after the word "that"; strike out line 45, and in line 46 strike out "tion to any office on the ballots", and in lieu thereof insert "one whose name has appeared upon the ballot as a candidate".

## AMENDMENT NUMBER SEVENTEEN.

On page 9, line 23, strike out the figures "1924", and insert in lieu thereof the figures "1926".

## AMENDMENT NUMBER EIGHTEEN.

On page 11 strike out the word "judicial", in line 9, and the words "office or a school", in line 10, and insert in lieu thereof the word "nonpartisan".

## AMENDMENT NUMBER NINETEEN.

On page 11, line 10, strike out the words "or principle".

## AMENDMENT NUMBER TWENTY.

On page 11, line 13, strike out the words "judicial office or a school", and insert in lieu thereof the word "nonpartisan".

## AMENDMENT NUMBER TWENTY-ONE.

On page 12, line 2, strike out the word "no", and insert in lieu thereof the word "his".

## AMENDMENT NUMBER TWENTY-TWO.

On page 12 lines 2 and 3, strike out the words "so withdrawn shall", and insert in lieu thereof the words "shall not".

## AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 4, after the word "election", insert "as a candidate for such office".

## AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 29, strike out the words "according to", and insert in lieu thereof the words "by reason of".

## AMENDMENT NUMBER TWENTY-FIVE.

On page 12, line 30, before the word "that", insert "the name of".



## AMENDMENT NUMBER TWENTY-SIX.

On page 12 strike out all of line 31 after the word "election"; strike out lines 32 and 33 and in line 34 strike out "of said section 23", and insert in lieu thereof the words "the next highest number of votes".

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, lines 39 and 40, strike out the words "a declaration certificate has been filed for any candidate to be voted for at", and insert in lieu thereof the words "anyone has declared or accepted a candidacy for".

Senate Bill No. 90 ordered printed with above proposed amendments.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 970—An act making an appropriation to meet a deficiency in the appropriation for rental and all other expenses necessary for the maintenance of rented State offices for the seventy-seventh and seventy-eighth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 970 referred to Committee on Finance.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 970—An act making an appropriation to meet a deficiency in the appropriation for rental and all other expenses necessary for the maintenance of rented State offices for the seventy-seventh and seventy-eighth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

INMAN, Chairman.

Senate Bill No. 970 ordered on file for second reading.

## CASE OF URGENCY.

## RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 970:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,  
SACRAMENTO, February 25, 1927.

*To the Senate and Assembly of the State of California.*

Assembly Bill No. 970 makes an appropriation to meet the deficiency in the appropriation for maintenance of rented offices for the seventy-seventh and seventy-eighth fiscal years.

In my opinion the appropriation necessary for such expenditure during the seventy-seventh and seventy-eighth fiscal years constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency bill.

Respectfully submitted.

C. C. YOUNG, Governor.

## RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 970 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray, Maloney, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Assembly Bill No. 970.

#### SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SEVENTY.

Assembly Bill No. 970—An act making an appropriation to meet a deficiency in the appropriation for rental and all other expenses necessary for the maintenance of rented State offices for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

#### URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray, Lyon, Maloney, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 970 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

Title read and approved.

Assembly Bill No. 970 ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1148—An act making an appropriation to meet the deficiency in the appropriation for the mileage of members of the Assembly for the seventy-seventh and seventy-eighth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1148 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 9—Relative to retirement pay for emergency officers of the World War.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 9 ordered to enrollment.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the same amount, and the Treasurer is hereby directed to pay the same:

Norma Brown, Stenographer-----\$5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

#### REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Jones, H. C.:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act.

Request referred to Committee on Rules.

By Senator Allen, N. M.:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 1313 of the Civil Code, relating to restrictions on devices for charitable uses.

Request referred to Committee on Rules.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

The following constitutional amendment was introduced:

By Senator Handy: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section 2 of article IV of the constitution of California.

Referred to Committee on Constitutional Amendments.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 85—An act to amend section 369*b* of the Penal Code, relating to the transportation of live stock on railroads.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

In line 6 of the printed bill, strike out the word "car", and insert in lieu thereof the word "cars".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered.

AMENDMENT NUMBER ONE.

In line 3 of the printed bill, after the word "adult" insert a comma, and after the word "child" insert a comma.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 619—An act validating the formation and organization, and determining the boundaries of East Side County Water District, in the county of Santa Clara, State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 3 of the printed bill, insert in the blank space after the word "of", the following: "two hundred seventy-seven (277)".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the printed bill, in the blank space after the word "to" insert the following: "seventy (70)".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 11 of the printed bill, after the word "follows:" insert the following: Beginning at a point in the center line of Kammerer avenue where the true prolongation of the dividing line between lots 46 and 52 of the Alta Vista tract, as a map of said tract is recorded in the county recorder's office of Santa Clara county, California, in book F3 of maps, at page 89, intersects said center line and running thence northeasterly along said center line of Kammerer avenue to the intersection of said center line with the center line of Jackson avenue; thence southeasterly along the center line of Jackson avenue to the most westerly corner of the Montgomery and Rea subdivision of the Albers ranch, as a map of same is recorded in the county recorder's office of Santa Clara county, California, in book "D" of maps, at page 67; thence leaving said center line of Jackson avenue and running along the northwesterly line of said last mentioned subdivision and its prolongation to the center line of Capitol avenue; thence southwesterly along the center line of Capitol avenue to the intersection of said line with the prolongation of the southeasterly line of the Lyndale subdivision as the map of same is recorded in the county recorder's office of Santa Clara county, California, in book "L" of maps, at page 93; thence

northeasterly and along the southeasterly line of said last mentioned subdivision and its prolongation to the center line of the White road; thence northwesterly along the center line of the White road to the point of intersection of said center line with the center line of Reed avenue; thence northeasterly along said center line of Reed avenue to the southwesterly boundary line of that certain 8.03 acre tract conveyed by Fred M. Stern et ux., to Frank Vargas Preira, by deed dated November 27, 1915, and recorded in the county recorder's office of Santa Clara county, California, in book 435 of deeds, at page 402; thence southeasterly along the said southwesterly boundary line of said 8.03 acre tract to the most southerly corner thereof; thence northeasterly along the southeasterly line of said 8.03 acre tract to the most easterly corner thereof standing in the center line of Fleming avenue, marked by a stake F.3. and being also the most southerly corner of that certain 10.37 acres of land conveyed by A. and Rose La Barbara to Enos and Aurora Cardoza, by deed dated October 6, 1922, and recorded in the county recorder's office of Santa Clara county, California, in book 565 of deeds, at page 85; thence northeasterly and along the southeasterly line of said 10.37 acre tract to a stake marked V.-W.4 F, standing at the most easterly corner of said 10.37 acre tract, and being also in the southwesterly line of the A. L. Huyck tract as a map of same is recorded in the county recorder's office of Santa Clara county, California, in book "B" of maps, at page 7; thence along the said southwesterly line of the A. L. Huyck tract, and along the northeasterly line of said 10.37 acre tract, northwesterly to the common corner for lots 10 and 11 of said A. L. Huyck tract; thence northeasterly along the dividing line between said lots 10 and 11 and its prolongation to the northerly line of the Mount Hamilton road, being also the southerly line of lot 29 of the observatory tract as a map of same is recorded in the county recorder's office of Santa Clara county, California, in book "H" of maps, at page 123; thence in a general easterly direction along the northerly line of the Mount Hamilton road to the most easterly corner of said lot 29 in the center line of Miguelito avenue; thence northwesterly along the center line of said avenue, being also the dividing line between lots 29 and 30 of said Observatory tract, to the common corner for lots 29, 30 and 32 of said Observatory tract in the center line of Huyck ravine; thence in an easterly direction along the center line of said Huyck ravine following the meanderings thereof, being also along the dividing line between said lots 30 and 32 to the common corner for said lots in the northeasterly boundary line of said Observatory tract; thence northwesterly along the northeasterly line of said lot 32 to the most northerly corner thereof, being in the southeasterly line of lot 33 of said tract; thence northeasterly along the southeasterly line of said lot 33 to the most easterly corner thereof; thence along the easterly line of said lot 33 and along the easterly line of lot 34 of said tract to the most northerly corner of said lot 34 in the southeasterly line of lot 35 of said tract; thence northeasterly along the southeasterly line of said lot 35 to the most easterly corner thereof in the center of a deep ravine; thence northwesterly along the center line of said ravine following the meanderings thereof, and being also the northeasterly boundary line of lots 35 and 36 of said tract to the most easterly corner of that certain 47.47 acre tract of land conveyed by Tony Costa, et ux., to Joe D. and Joseph D. Silvera by deed recorded in the county recorder's office of Santa Clara county, California, on April 21, 1921, in book 534 of deeds, at page 82; thence westerly along the northerly line of said 47.47 acre tract to the most southerly corner of that certain 10 acre tract conveyed by A. E. Burke, et ux., to the Alum Rock Sanatorium by deed dated April 30, 1925, and recorded in the county recorder's office of Santa Clara county, California, in book 157 of official records, page 275; thence northeasterly along the southeasterly line of said 10 acre tract to the most easterly corner thereof; thence in a general northwesterly direction along the northeasterly line of said 10 acre tract to the intersection of said line with the center line of a private road 40 feet wide; thence in a general southwesterly and westerly direction following the center line of said private road to the westerly corner of the aforementioned 47.47 acre tract standing in the center line of said private road; thence southwesterly along the westerly line of said 47.47 acre tract to the most westerly corner of said tract standing in the northeasterly line of the aforementioned Observatory tract; thence northwesterly along the northeasterly line of said Observatory tract to the most northerly corner thereof, standing in the southeasterly line of that certain 14 acre tract of land conveyed by the estate of F. S. Wheeler (Estate No. 9292) to Lilla O. Wheeler by deed recorded in the county recorder's office of Santa Clara county, California, on June 25, 1915, in book 434 of deeds, at page 6; thence northeasterly along the southeasterly line of said 14 acre tract, to the most easterly corner thereof; thence northwesterly along the northeasterly line of said 14 acre tract to a corner in said land; thence along the northerly boundary line of said 14 acre tract and its prolongation across Alum Rock avenue to the most easterly corner of the Knapp tract in Pueblo tract No. 1, according to a map of same of record in the county recorder's office of Santa Clara county, California, in book "I" of maps, at page 3; thence in a general westerly direction following the northerly boundary line of lot 8 of the Knapp tract to the most northerly corner of said lot 8, being also the most easterly corner of that certain 6.176 acre tract conveyed by Walter T. Hall, et ux., to Elise Feigson by deed dated October 31, 1917, and recorded in the county recorder's office of Santa Clara county, California, in book 464 of deeds, at page 307; thence northwesterly along the north-

easterly line of said 6.176 acre tract, being also the boundary line of the city reservation to the center line of the Penetencia creek; thence in a southwesterly and westerly direction following the meanderings of the center line of said Penetencia creek to a point where the prolongation northerly of the center line of White road intersects the center line of the Penetencia creek; thence southeasterly along the said prolongation of the center line of the White road and the center line of the White road to the intersection of said center line with the boundary line between Pala school district and the Berryessa school district; thence westerly along said boundary line between Pala school district and Berryessa school district to the intersection of said boundary line with the center line of Capitol avenue; thence southeasterly along the center line of said Capitol avenue to the intersection of said center line with the center line of McKee road; thence southwesterly along the center line of McKee road to the intersection of said center line with the center line of the King road, now called Thirty-fifth street; thence southeasterly along the center line of Thirty-fifth street to the intersection of said center line with the center line of Alum Rock avenue, or Santa Clara street; thence northeasterly along the center line of Alum Rock avenue to a point where the prolongation of the dividing line between lots 7 and 8 of the aforementioned Alta Vista tract would intersect said center line; thence leaving said center line of Alum Rock avenue and running southeasterly along said dividing line between lots 7 and 8, and along the dividing line between lots 34 and 35, of said last mentioned tract and its prolongations to the center line of Lendrum avenue; thence northeasterly along the center line of Lendrum avenue to the point where the prolongation of the dividing line between lots 48 and 49 would intersect said center line of Lendrum avenue; thence leaving said center line and running along the dividing line between said lots 48 and 49, and also along the dividing line between lots 45, 46 and 52 of said Alta Vista tract to the place of beginning.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

At the end of line 23 of the printed bill, strike out the period, and in lieu thereof insert a comma and the following: "the terms of said note and pledge or chattel mortgage to be approved by the court at the time of confirmation of sale."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 23—An act to amend section 2969 of the Civil Code, relating to levy of writs of attachment and execution.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 111—An act to amend section 17 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to probation committees.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 161—An act creating a commission on uniform State laws and prescribing the power and duties thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 202—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*af*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations, and administer the same.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 248—An act to add a new section to the Code of Civil Procedure, to be numbered 953*d*, relating to notices of entry of judgments and orders.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 249—An act to amend section 1875 of the Code of Civil Procedure, relating to judicial notice.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 291—An act to amend section 729 of the Code of Civil Procedure, relating to the oath and undertaking of commissioner, report and account of sale and compensation of commissioner on foreclosure proceedings.

Bill read second time, ordered engrossed, and on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 142—An act to amend section 39 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray, Kline, Maloney, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, February 28, 1927.

## • IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Monday, February 28, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.  
Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, February, 25, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Al. G. Barnes of Barnes City and Mr. and Mrs. Jos. G. Braun of Santa Monica.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Arthur Sweet, mayor of North Sacramento, and Mr. George Nelson of North Sacramento.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Harry A. Truesdale, auditor of San Luis Obispo County.

## PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Taylor:

*To Hon. Cadet Taylor.*

A petition for weekday religious education in California, on released time from the public schools outside the public school buildings:

We, the undersigned citizens and registered voters of your district, do hereby respectfully urge you to give your support to the passage of the Cobb Bill (Senate Bill No. 145), providing for weekday religious education in California on released time from the public schools, outside the public school buildings.

(Signed)

MRS. MAY E. CAMPBELL of the Second Presbyterian Church of Long Beach, and 108 others.

GEORGE T. LIDDLE of the Pomona Churches, and 384 others.

MRS. J. E. SMITH of Long Beach Churches, and 217 others.

ERNEST E. DAY of the Plymouth Congregational Church at Whittier, and 56 others.

EVA N. GEAY of Bethel Church at Long Beach, and 31 others.

ALONZO REYNOLDS of Glendora Church, and 73 others.

JOHN HART of Methodist Episcopal Church at Whittier, and 207 others.

The above petition referred to Committee on Education.

By Senator Crowley :

SAN FRANCISCO, February 26, 1927.

*The Honorable Senate of the State of California.*

GENTLEMEN: The San Francisco Labor Council, at its regular session held the twenty-fifth of February, 1927, adopted the following resolution, and hereby respectfully urges you to take favorable action on the subject matter, to wit:

WHEREAS, There is pending before the Legislature of the State of California a measure known as Senate Bill No. 208, providing for an increase in salaries of the superior court judges of the counties of San Francisco, Los Angeles, and Alameda; and

WHEREAS, We believe in the principle of a just and adequate wage for all who perform private or public service; and

WHEREAS, According to general opinion, based upon comparison with salaries paid judges of similar standing and functions in eastern states, and the growth of the aforesaid counties in population and judicial business, a revision of judicial salaries upward is a public need and necessity; therefore, be it

*Resolved*, By the San Francisco Labor Council, representing 60,000 wage earners, private and public, in San Francisco, that we endorse Senate Bill No. 208, and urge its passage; and, be it further

*Resolved*, That copies of this resolution be transmitted to the Senate, the Assembly, and the Governor of the State of California.

Very respectfully,

SAN FRANCISCO LABOR COUNCIL.

By W. P. STANTON, President.

[SEAL]

JNO. A. O'CONNELL, Secretary.

The above petition referred to Committee on Governmental Efficiency.

#### RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

MR. PRESIDENT: Your committee on Contingent Expenses begs leave to report the following resolution and recommends its adoption:

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Senators	County	Mileage	Total at five cents per mile
Allen, J. M.	Siskiyou	590	\$29 50
Allen, Newton M.	Los Angeles	894	44 70
Baker, C. C.	Monterey	416	20 80
Boggs, Frank S.	San Joaquin	96	4 80
Breed, Arthur H.	Alameda	168	8 40
Canepa, Victor J.	San Francisco	180	9 00
Chamberlin, Harry A.	Los Angeles	894	44 70
Christian, E. H.	Alameda	182	9 10
Cobb, Charles H.	Fresno	338	16 90
Crowley, John J.	San Francisco	180	9 00
Evans, H. J.	Los Angeles	914	45 70
Fellom, Roy	San Francisco	180	9 00
Garrison, J. C.	Stanislaus	164	8 20
Gray, P. J.	San Francisco	180	9 00
Handy, Fred C.	Mendocino	300	15 00
Hollister, J. James	Santa Barbara	1004	50 20
Hurley, Edgar S.	Alameda	168	8 40
Ingram, Thomas	Nevada	154	7 70
Inman, J. M.	Sacramento	2	10
Johnson, M. B.	San Mateo	288	14 40
Jones, Herbert C.	Santa Clara	256	12 80
Jones, Ray	Yuba	104	5 20
Kline, Chester M.	Riverside	1100	55 00
Lyon, Charles W.	Los Angeles	926	46 30
Maloney, Thomas A.	San Francisco	180	9 00



Senators	County	Mileage	Total at five cents per mile
McKinley, J. W.	Los Angeles	894	\$44 70
Mueller, Edwin A.	San Diego	1178	58 90
Murphy, Daniel C.	San Francisco	180	9 00
Nelson, H. C.	Humboldt	624	31 20
Pedrotti, J. L.	Los Angeles	894	44 70
Rush, Benjamin F.	Solano	80	4 00
Sharkey, Will R.	Contra Costa	124	6 20
Slater, Herbert W.	Sonoma	180	9 00
Swing, Ralph E.	San Bernardino	1016	50 80
Taylor, Cadet.	Los Angeles	958	47 90
Tubbs, Tallant	San Francisco	180	9 00
Wagy, J. L.	Kern	556	27 80
Weller, Frank C.	Los Angeles	910	45 50
West, T. C.	Alameda	168	8 40
Young, Sanborn	Santa Clara	278	13 90
OFFICERS			
Fitts, Burton R., President	Los Angeles	894	89 40
Beek, Joseph A., Secretary	Orange	990	99 00
Powers, Harold J., Minute Clerk	Modoc	832	83 20

ALLEN, J. M., Chairman.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—33.

NOES—None.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Allen, N. M., to introduce a bill entitled—"An act to amend section 1313 of the Civil Code, relating to restrictions on devises for charitable uses"—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Allen, N. M.: Senate Bill No. 832—An act to amend section 1313 of the Civil Code, relating to restrictions on devises for charitable uses.

Bill read first time, and referred to Committee on Judiciary.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Jones, H. C., to introduce a bill entitled—"An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act"—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators, Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—33.  
 NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Jones, H. C.: Senate Bill No. 833—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

## RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Mrs. M. S. West, Stenographer	\$5 00 per day
Clarence Prentice, Assistant Sergeant-at-Arms	5 00 per day
Dorothy Durant, Stenographer	5 00 per day
John J. Crotty, Assistant Sergeant-at-Arms	5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—34.  
 NOES—None.

## CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 494—An act to amend section 4267 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the thirty-eighth class, and fixing the mileage and per diem of grand and trial jurors in such counties.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 3 of the printed bill, beginning with line 47, strike out all down to and including line 7 on page 4.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 6—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

On motion of Senator Handy, Senate Bill No. 6 was ordered withdrawn from second reading file and re-referred to Committee on County Government.

Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 344—An act to amend section 4268 of the Political Code and to add a new section thereto, to be numbered 4268a, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 442—An act to amend section 19x14 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fourteenth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 468—An act to amend section 2322x24, relating to the office of the horticultural commissioners in counties of the twenty-third class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 665—An act to amend section 2322x42 of the Political Code, relating to salaries of horticultural commissioner in counties of the forty-second class.

On motion of Senator Handy, Senate Bill No. 665 was passed on file.



Senate Bill No. 706—An act to amend section 19.24 of the Juvenile Court Law, relating to salaries of probation officers in counties of the twenty-fourth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 81—An act to amend sections 8 and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to narcotic drugs.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 3, line 49, of the printed bill, strike out the word "and" and insert in lieu thereof the following: "or the infirmities attendant upon age".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 618—An act to amend an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies, and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, by adding a new section thereto, to be numbered 6a, declaring breeding places for mosquitoes to be a public nuisance and providing for the abatement thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 8—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system based on investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16,

1913, as amended, relating to the appointment and salaries of the State Civil Service Commissioners.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 493—An act to add a new section to the Political Code, to be numbered 1731*a*, relating to schools.

On motion of Senator Handy, Senate Bill No. 493 was re-referred to Committee on Education.

Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 86—An act to amend section 1740 of the Political Code, relating to meeting places of high school boards.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

##### AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, after the period following the word "therefor", strike out all of the remainder of the bill and insert in lieu thereof the following :

All meetings of the high school board shall be held at the high school building, *provided*, that if no high school building exists in the high school district, or if in the judgment of its board of trustees, the interests of the high school district may be better served by holding its meetings elsewhere, the board may meet at such other place in the high school district as it may by resolution determine, *provided* that all such meetings shall be open to the public.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### RESOLUTION.

The following resolution was offered :

By Senator Inman :

*Resolved*, By the Senate, that the President of the Senate shall appoint three members of the Senate who shall act as a committee to investigate the matter of the observance and enforcement of the provisions of section 421*a* of the Civil Code of California; and, be it further

*Resolved*, That said committee at the earliest possible date report to the Senate its findings on the subject matter of said investigation, including its recommendations, if any, in respect to further legislation that may be needed or that may be desirable upon the subject; and, be it further

*Resolved*, That the expenses incurred in such investigation, not to exceed the sum of \$200, shall be paid out of the contingent fund of the Senate.

Resolution read, and referred to the Committee on Rules.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read :

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, February 25, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to justices' courts;

Also: Senate Bill No. 85—An act to amend section 369*b* of the Penal Code, relating to the transportation of live stock on railroads;

Also: Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption;

Also: Senate Bill No. 619—An act validating the formation and organization, and determining the boundaries of East Side County Water District, in the county of Santa Clara, State of California;

Also: Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents;

Also: Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act;

Also: Senate Bill No. 23—An act to amend section 2969 of the Civil Code, relating to levy of writs of attachment and execution;

Also: Senate Bill No. 111—An act to amend section 17 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to probation committers;

Also: Senate Bill No. 161—An act creating a Commission of Uniform State Laws and prescribing the power and duties thereof;

Also: Senate Bill No. 202—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*af*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same;

Also: Senate Bill No. 248—An act to add a new section to the Code of Civil Procedure, to be numbered 953*d*, relating to notices of entry of judgments and orders;

Also: Senate Bill No. 249—An act to amend section 1875 of the Code of Civil Procedure, relating to judicial notice;

Also: Senate Bill No. 291—An act to amend section 729 of the Code of Civil Procedure, relating to the oath and undertaking of commissioner, report and account of sale and compensation of commissioner on foreclosure proceedings;  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce bill was presented:  
By Senator Inman:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to create a flood control district to be called "Rancho Del Paso Flood Control District"; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, etc.

Request referred to Committee on Rules.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925*a*, relating to justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 19 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 85—An act to amend section 369*b* of the Penal Code, relating to the transportation of live stock on railroads.

Bill read third time.



The question being on the passage of the bill.

The roll was called, and Senate Bill No. 85 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption.

On motion of Senator West, Senate Bill No. 154 was passed on file.

Senate Bill No. 619—An act validating the formation and organization, and determining the boundaries of East Side County Water District, in the county of Santa Clara, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 619 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents.

Bill read third time, and on motion of Senator Jones, H. C., ordered passed on file.

Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act.

On motion of Senator Weller, Senate Bill No. 9 was passed on file.

Senate Bill No. 23—An act to amend section 2969 of the Civil Code, relating to levy of writs of attachment and execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 23 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 111—An act to amend section 17 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to probation committees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 111 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 248—An act to add a new section to the Code of Civil Procedure, to be numbered 953*d*, relating to notices of entry of judgments and orders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 161—An act creating a commission on uniform State laws and prescribing the power and duties thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 161 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Inman, at twelve o'clock and fifteen minutes p.m., the President of the Senate declared recess until twelve o'clock and seventeen minutes p.m.

RECONVENED.

At twelve o'clock and seventeen minutes p.m., the Senate reconvened. Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 202—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*af*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations, and administer the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 249—An act to amend section 1875 of the Code of Civil Procedure, relating to judicial notice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 249 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 291—An act to amend section 729 of the Code of Civil Procedure, relating to the oath and undertaking of commissioner, report and account of sale and compensation of commissioner on foreclosure proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 291 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

SANTA ANA, CALIFORNIA, February 8, 1927.

The board met in regular session. Present, Supervisors Wm. Schumacher, chairman; John C. Mitchell, Willard Smith, George Jeffrey and the clerk.



Absent, Supervisor S. H. Finley.

In Re: Resolution, Appropriation for Orange County Harbor.

On motion of Supervisor Jeffrey, duly seconded and carried, the following resolution was regularly adopted:

WHEREAS, The present budget of the State of California includes a special appropriation bill for \$419,000 for the purpose of development of the Stockton deep water channel, a recurrent appropriation of \$600,000 for protection of Long Beach harbor; and

WHEREAS, Other appropriation bills have been introduced into the State Legislature seeking State aid for waterway development, including one by Assemblyman Reindollar for development of San Rafael harbor; and

WHEREAS, Orange County harbor development is of major importance to Southern California, and particularly to the counties of Orange, Riverside, and San Bernardino, and as such is entitled to State aid in development; be it

Resolved, That the board of supervisors of Orange County hereby request Assemblyman C. D. Ball to prepare and introduce at the present session of the State Legislature an appropriation bill calling for \$250,000 for the development of Orange County harbor; and

Resolved, That the board of supervisors hereby pledge their support and influence to the passage of such a bill to the end that Orange County harbor secure the State aid in its development to which it is entitled.

State of California, } ss.  
County of Orange. }

I, J. M. Backs, county clerk and ex officio clerk of the board of supervisors, do hereby certify the foregoing to be a full, true and correct copy of the minute entry on record in my office.

Witness my hand and the seal of the board of supervisors, this eighteenth day of January, 1927.

[SEAL]

J. M. BACKS,  
Clerk of the Board of Supervisors.

#### REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Lyon:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Request referred to Committee on Rules.

By Senator Weller:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 652 of the Civil Code, relating to the consolidation of colleges.

Request referred to Committee on Rules.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 156—An act to cure defects in maps or plats filed for record prior to January 1, 1927, and in deeds or conveyances referring to such maps;

Also: Assembly Bill No. 186—An act to amend the Code of Civil Procedure by adding a new section thereto, relating to the expenses of judges of the superior courts;

Also: Assembly Bill No. 579—An act to add a new section to the Code of Civil Procedure, to be numbered 1900a, relating to uniform proof of statutes;

Also: Assembly Bill No. 580—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits;

Also: Assembly Bill No. 692—An act to amend section 927<sup>p</sup> of the Code of Civil Procedure, to provide for the payment of fees in the small claims court.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bills Nos. 156, 186, 579, 580 and 692 read first time, and referred to Committee on Judiciary.

#### USE OF SENATE CHAMBER GRANTED.

Senator Baker asked for and was granted unanimous consent for the use of the Senate chamber for the purpose of having a public hearing and joint meeting of the Senate and Assembly committees on Revision of Criminal Law and Procedure to consider bills before their respective committees, meetings to be held on Thursday, March 3, and Friday, March 4, 1927, at seven o'clock and thirty minutes p.m.

#### ADJOURNMENT.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

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#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Tuesday, March 1, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—33.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Monday, February 28, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. L. B. Bohnett of San Jose, California.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge J. A. Bardin of Salinas, California.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. W. W. Goodrich of San Joaquin, Fresno County, president of the West Side Highway Association.

#### PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Taylor:

*Cadet Taylor, California State Senate, Sacramento, California.*

DEAR MR. TAYLOR: Permit us to advise you that the United Church Brotherhood of Long Beach, California, through its central committee at its last regular meeting February 18, 1927, took the following action:

It was moved by Member Houston, seconded by Member Evans, that the President and the Secretary be authorized to write a communication from the United Church Brotherhood of Long Beach, California, to our representatives in the State Legislature sanctioning the weekday religious education bill, known and designated as Senate Bill No. 145, and to urge that a similar measure be introduced in the Assembly, and that our representatives be urged to put forth every effort for the successful passage of the same.

Trusting this action will meet with your approval and hearty cooperation, and assuring you of our best wishes, we remain

Most respectfully yours,

UNITED CHURCH BROTHERHOOD.  
A. F. HAMMAN, President.

EUGENE I. FISHER, Secretary.

Also:

*Resolved*, That the Whittier Council of Churches heartily endorse Senate Bill No. 145, introduced by Senator Cobb January 17, 1927, providing for the release of pupils from the public schools for the purpose of attending schools of religious instruction, and we most earnestly petition favorable action on said bill.

*Resolved*, That a copy of this resolution be forwarded to our Senator and Representative and to the members of the Committee on Education.

Adopted February 24, 1927.

W. O. TRUEBLOOD,  
President of Whittier Council of Churches.

Attest: EMILY R. GARDNER, Secretary.

Also:

*To Senator Cadet Taylor.*

A petition for weekday religious education in California, on released time from the public schools outside the public school buildings.

We the undersigned citizens and registered voters of your district do hereby respectfully urge you to give your support to the passage of the Cobb Bill (Senate Bill No. 145), providing for weekday religious education in California on released time from the public schools outside the public school buildings.

L. C. SMITH of Pomona Church.  
And 30 others.  
HARRY PIERCE of Whittier,  
And 38 others.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof;

Also: Senate Bill No. 447—An act to add a new section to the Political Code, to be numbered 1608b, providing courses in forestry, the acquiring by school districts



of necessary lands therefor outside such districts, the afforestation and reforestation thereof, and of public lands, and for transportation of pupils;  
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

EVANS, Chairman.

Senate Bills Nos. 263 and 447 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

EVANS, Chairman.

Senate Bill No. 558 ordered on file for second reading.

#### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 830—An act regarding an act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to powers and duties of board of directors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

JONES, RAY, Vice Chairman.

#### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 359—An act to establish institutions for the confinement, treatment and rehabilitation of narcotic addicts; to provide for the government and maintenance thereof; to provide for commitment and admission to such institutions; to provide penalties for violations of any of the provisions of this act; to provide a fund for the establishment and maintenance of such institutions, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bill No. 359 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended;

Also: Senate Bill No. 310—An act to amend the State Medical Practice Act, approved June 2, 1913, as amended, by adding thereto a new section known as section 11a, relating to the recognition of a certificate of examination issued by the National Board of Medical Examiners of the United States;

Also: Senate Bill No. 582—An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act;

Also: Senate Bill No. 271—An act to amend section 2 of "The State Medical Practice Act," approved June 2, 1913, as amended;  
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bills Nos. 308, 310, 582 and 271 ordered on file for second reading.

## ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended and approved May 23, 1925;

Also: Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; noes—1; absent—2.

NELSON, Chairman.

Senate Bills Nos. 3 and 518 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

NELSON, Chairman.

Senate Bill No. 713 ordered on file for second reading.

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 28, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 130—An act to amend section 1956 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of the probation officer in counties of the fifty-sixth class;

Also: Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code consisting of sections 350 to 350r, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states;

Also: Senate Bill No. 265—An act to add a new section to the Code of Civil Procedure, to be numbered 559½, relating to writs of attachment;

Also: Senate Bill No. 616—An act to amend section 3787 of the Political Code, relating to the collection of property taxes;

Also: Senate Bill No. 617—An act to amend section 1 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants and other municipal securities which have become defaced or mutilated," approved February 23, 1907: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—10; absent—4.

JONES, H. C., Chairman.

Senate Bills Nos. 130, 159, 265, 616 and 617 ordered on file for second reading.

## RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Mrs. Hazel Lindley, Stenographer-----	\$5 00 per day
Joe Moloney, Assistant History Clerk-----	5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Lyon, to introduce a bill entitled "An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Lyon: Senate Bill No. 834—An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers



and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to prove for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Weller, to introduce a bill entitled—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Weller: Senate Bill No. 835—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, February 28, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 221—An act to amend section 307 of the Civil Code excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section;

Also: Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, excepting certain counties from the provisions thereof;

Also: Senate Bill No. 320—An act providing for the distribution of any money appropriated by the State of California for the encouragement of county and district fairs;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—13; absent—2.

BOGGS, Chairman.

Senate Bills Nos. 221, 242, and 320 ordered on file for second reading.

Also:

**MR. PRESIDENT:** Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis Law" of California: to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith;

Also: Senate Bill No. 721—An act to add a new section to the Political Code, to be numbered 4041, relating to the building and maintenance of permanent county fair buildings by the county board of supervisors;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15, committee vote: Ayes—13; absent—2.

BOGGS, Chairman.

Senate Bills Nos. 219, and 721 ordered on file for second reading.

Also:

**MR. PRESIDENT:** Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement thereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof;

Also: Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925;

Has had the same under consideration, and respectfully reports that the amendments were adopted unanimously, and bills to be sent to the printer and returned to committee.

Committee membership—15; committee vote: Ayes—13; absent—2.

BOGGS, Chairman.

PROPOSED AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FORTY-EIGHT, AS RECOMMENDED BY COMMITTEE ON AGRICULTURE AND LIVE STOCK.

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, between lines 13 and 14, insert the following as a paragraph:

The definition of "internal rot" or "brown rot" is: The rot of the fruit of the fig caused by *Fusarium moniliforme* Sheld. var. *fici* cald.

#### AMENDMENT NUMBER TWO.

On page 2, following line 16, of the printed bill, add the following:

Sec. 5. Upon information received by the State Director of Agriculture of the existence, in any degree or form, of internal rot in any Capri figs of the mamme or profichi crop, he shall proceed to thoroughly investigate the same and may make and enforce such regulations as are in his opinion necessary to circumscribe and exterminate such infection and prevent the extension thereof. Such director may disinfect, or take such other action with reference to, including the destruction of, any figs or blastophaga insects infected with, or which in his opinion may have been exposed to infection by internal rot, in any degree or form, as in his discretion shall seem necessary to carry out and give effect to the provisions of this section.

Senate Bill No. 148 ordered printed with the above proposed amendments, and re-referred to Committee on Agriculture and Live Stock.

PROPOSED AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY AS  
RECOMMENDED BY COMMITTEE ON AGRICULTURE AND LIVE STOCK.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the word "figs".

AMENDMENT NUMBER TWO.

On page 4, line 48, of the printed bill, correct the spelling of the word "sub-containers".

AMENDMENT NUMBER THREE.

On page 5, line 7, of the printed bill, before the word "fruits", insert the words "fresh or dried".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, between lines 41 and 42, insert the following:

"(18A) Standard artichoke box-----	9½	11	22
(18B) Half artichoke box-----	4½	11	22"

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, between lines 48 and 49, insert the following:

"(25A) Standard artichoke lug-----	8½	14	24"
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AMENDMENT NUMBER SIX.

On page 6 of the printed bill, between lines 3 and 4, insert the following:

"(29A) Half lemon box-----	5	13	27"
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AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, between lines 4 and 5, insert the following:

"(30A) Half jumbo lemon box-----	5 9/16	13½	27"
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AMENDMENT NUMBER EIGHT.

On page 6, lines 22 and 23, of the printed bill, strike out the words "twenty-six, twenty-six a, twenty-seven and twenty-eight" and substitute in lieu thereof the figures "26, 26A, 27 and 28".

AMENDMENT NUMBER NINE.

On page 6, line 26, of the printed bill, strike out the words "twenty-nine" and "thirty" and substitute in lieu thereof the figures "29, 29A, 30 and 30A".

AMENDMENT NUMBER TEN.

On page 6, lines 30 and 31, of the printed bill, strike out the words "nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four and twenty-five" and substitute in lieu thereof the figures "19, 20, 21, 22, 23, 24 and 25".

AMENDMENT NUMBER ELEVEN.

On page 6, line 40, of the printed bill, before the word "fruits" insert the words "fresh or dried".

AMENDMENT NUMBER TWELVE.

On page 6, line 41, of the printed bill, before the word "fruits" insert the word "such".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 44, of the printed bill, strike out the word "of" and substitute in lieu thereof the word "or".

AMENDMENT NUMBER FOURTEEN.

On page 8, lines 29 and 30, of the printed bill, strike out the words "four, five, six, seven, twenty or twenty-three" and substitute in lieu thereof the figures "4, 5, 6, 7, 20 or 23".

AMENDMENT NUMBER FIFTEEN.

On page 8, line 47, of the printed bill, strike out the period and in lieu thereof insert a semicolon and the following: "provided, further, that no part of this tolerance shall be allowed for immature avocados".

AMENDMENT NUMBER SIXTEEN.

On page 8, after line 50 of the printed bill, add the following paragraph:  
The percentage of serious defects in any bulk lot of avocados may be established by inspection of representative sample, which shall consist of not less than one hundred fruits selected at random.

AMENDMENT NUMBER SEVENTEEN.

On page 9, lines 4 to 9 inclusive, of the printed bill, strike out the paragraph and in lieu thereof substitute the following:

Avocados shall not be considered mature when the edible portion shows an oil content of less than eight per cent, by weight, by chemical analysis.



## AMENDMENT NUMBER EIGHTEEN.

On page 9, line 30, of the printed bill, after the word "shall" insert the word "have".

## AMENDMENT NUMBER NINETEEN.

On page 11, lines 17 and 18, of the printed bill, strike out the words "three, nine, ten, eleven, twelve, fourteen, nineteen or twenty-three" and insert in lieu thereof the figures "3, 9, 10, 11, 12, 14, 19 or 23".

## AMENDMENT NUMBER TWENTY.

On page 11, line 19, of the printed bill, strike out the words "eleven and twelve" and in lieu thereof substitute the following figures "11 and 12".

## AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 35, of the printed bill, strike out the word "and" and in lieu thereof substitute the word "or".

## AMENDMENT NUMBER TWENTY-TWO.

On page 11, line 48, of the printed bill, strike out the word "or" and in lieu thereof insert the word "of".

## AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 12, of the printed bill, strike out the figure "15" and in lieu thereof substitute the word "fifteen".

## AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 49, of the printed bill, strike out "29 or 30" and in lieu thereof insert the following: "29, 29A, 30 or 30A".

## AMENDMENT NUMBER TWENTY-FIVE.

On page 13, line 18, of the printed bill, strike out the words "and east".

## AMENDMENT NUMBER TWENTY-SIX.

On page 13, line 19, of the printed bill, between the word "county" and the comma insert the following "and east of the Sierra Nevada range".

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 13 of the printed bill, between the words "Olivette de Vendemian" in line 32 and "Persian 23" in line 33, insert the word "Palomino".

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 14 of the printed bill, insert the words "Black Corinth" before the words "Black Perrara" in line 2.

## AMENDMENT NUMBER TWENTY-NINE.

On page 14, line 24, of the printed bill, strike out the word "Palomino".

## AMENDMENT NUMBER THIRTY.

On page 14, line 25, of the printed bill, correct the spelling of the word "Elbling".

## AMENDMENT NUMBER THIRTY-ONE.

On page 15, line 37, of the printed bill, after the word "the" insert the words "five per cent".

## AMENDMENT NUMBER THIRTY-TWO.

On page 15, line 38, of the printed bill, strike out the words "excepting that" and in lieu thereof insert the word "but".

## AMENDMENT NUMBER THIRTY-THREE.

On page 21, line 25, of the printed bill, strike out the words "twenty-four, twenty-five, thirty-eight or thirty-nine," and in lieu thereof substitute the figures "24, 25, 38 or 39".

## AMENDMENT NUMBER THIRTY-FOUR.

On page 21, lines 26, 27 and 28, of the printed bill, strike out the words "one, four, five, six, seven, twenty, twenty-one, twenty-two or twenty-three" and in lieu thereof substitute the figures "1, 4, 5, 6, 7, 20, 21, 22 or 23".

## AMENDMENT NUMBER THIRTY-FIVE.

On page 21, line 28, of the printed bill, before the word "provided" insert the following: "provided that containers numbers 20, 21, 22 and 23 shall be standard for grapes only when used without cleats, or when used with a cleat or cleats on each end not to exceed a total height of eleven-sixteenths of an inch."

## AMENDMENT NUMBER THIRTY-SIX.

On page 22, lines 30 and 31, of the printed bill, strike out the words "one, five, six, seven, fourteen, fifteen, sixteen, seventeen or twenty-three," and in lieu thereof substitute the figures "1, 5, 6, 7, 14, 15, 16, 17 or 23".

## AMENDMENT NUMBER THIRTY-SEVEN.

On page 23, line 18, of the printed bill, strike out the paragraph from lines 18 to 23, inclusive.

## AMENDMENT NUMBER THIRTY-EIGHT.

On page 28, of the printed bill, after line 22 add the following section:

SEC. 29a. Globe artichokes, when being packed or placed in any container, or after packing, or when delivered for shipment, loaded, shipped, or being transported, offered for sale or sold in any container, shall conform to one of the following standards:

Standards for globe artichokes. Fancy globe artichokes. Fancy globe artichokes shall be properly trimmed, free from colored blossoms, insect larvæ, insect injury, mold, decay, and from damage caused by freezing, bruising, snails, and other means, and in the case of packed artichokes shall be virtually uniform in size; *provided*, that not more than ten per cent, by count, of the artichokes in any one container may be below these requirements, but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause.

Unclassified globe artichokes. Unclassified globe artichokes shall be free from insect larvæ and insect injury, mold, decay, and from serious damage caused by freezing, and in the case of packed artichokes shall be virtually uniform in size; *provided*, that not more than ten per cent, by count, of the artichokes in any one container may be below these requirements, but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause.

Properly trimmed means that the stems shall show a clean cut and be not over one and one-half inches in length.

Damage caused by freezing or bruising shall mean that part or all of the bud is distinctly darkened or discolored.

Serious damage caused by freezing means that the stem or heart of the artichoke shows discoloration due to freezing.

Virtually uniform in size shall mean, in the case of packed globe artichokes, a variation of not more than three-fourths of an inch in diameter, when measured through the widest portion of cross section between the artichokes in any one container.

Standard pack for globe artichokes. Globe artichokes, when packed, or after packing, or when shipped, delivered for shipment, or offered for sale or sold as a standard pack, shall be tightly packed with a bulge and shall have a minimum net weight of thirty-five pounds in a standard box. There shall be approximately the same numerical count of uniformly sized globe artichokes in each layer throughout the container. The following sizes may be put up as standard packs in the standard box:

- Size 1. Packed with not more than sixty artichokes.
- Size 2. More than sixty but not more than seventy-five artichokes.
- Size 3. More than seventy-five but not more than ninety-six artichokes.
- Size 4. More than ninety-six but not more than one hundred twenty-five artichokes.

Size 5 shall constitute a standard pack in the standard half box only and shall pack not more than one hundred twenty-five artichokes in this container.

Marking requirements. In addition to the markings required by section 9 of this act, all containers of globe artichokes, when packed, shall be plainly and conspicuously stamped or stenciled on the outside thereof, in figures not less than one-half inch in height, with the number of artichokes contained therein; *provided*, that the contents may vary not more than five artichokes from the count as marked.

Each container of globe artichokes which meet the requirements for fancy globe artichokes, as established above, may be marked "Fancy" or with any other proper designation of quality or grade; *provided*, that each container of globe artichokes which fails to meet the requirements of fancy globe artichokes, but which meets the requirements for unclassified globe artichokes, shall be plainly and conspicuously marked, in letters not less than one-half inch in height, with the word "unclassified," and shall bear no other term designating quality or grade.

Containers in which globe artichokes are not packed to conform with the requirements for the standard pack established above shall be plainly and conspicuously marked, in letters not less than one-half inch in height, "irregular pack."

Standard containers. Packed globe artichokes shall be in standard containers numbers 18A, 18B or 25A, established in section 11 of this act; *provided*, that other sized containers may be used if conspicuously marked in letters not less than one-half inch in height "irregular container". No standard containers are established for globe artichokes which are not packed.

## AMENDMENT NUMBER THIRTY-NINE.

On page 29, of the printed bill, after line 25, add the following section:

SEC. 30a. Carrots. Carrots, when being packed, or placed in any container, or after packing, or when delivered for shipment, loaded, shipped, or being transported, offered for sale or sold in any container, shall conform to the following standard:

Standard for carrots. Carrots shall be fairly well formed, free from decay, insect injury, unhealed growth cracks, and from serious damage caused by green discoloration, diseases, mechanical or other means, and when bunched shall be virtually uniform in size; *provided*, that not more than ten per cent, by weight, of the carrots in any container may be below these requirements, but not more than a total of five per cent, by weight, shall be allowed for decay.

Carrots shall not be considered fairly well formed if doubles or other misshapen condition cause a waste of ten per cent, by weight, of the edible portion.

"Serious damage caused by green discoloration" shall mean a green color on more than fifteen per cent of the length of any carrot.

"Virtually uniform in size" shall mean, in the case of bunched carrots, a variation of not more than one-half of an inch in diameter, when measured through the widest portion of cross section, between the carrots in any one bunch.

Marking requirements. In addition to the markings required by section 9 of this act, which shall be placed on all containers of carrots, all containers of bunched carrots shall be plainly and conspicuously stamped or stenciled on the outside thereof, in figures not less than one-half inch in height, with the number of bunches contained therein.

No standard containers. No standard containers are established by this act for carrots.

#### AMENDMENT NUMBER FORTY.

On page 5, line 9, of the printed bill, before the word "nothing" insert the following sentence: "This provision shall be construed to prohibit the repeated use of any container or subcontainer of fruits, nuts or vegetables, bearing any markings required by this act, or any designations of brand, quality or grade, unless all such markings which do not properly and accurately apply to the products repacked or replaced therein shall first be completely removed, erased or obliterated."

#### AMENDMENT NUMBER FORTY-ONE.

On page 22, line 42, of the printed bill, between the word "cuts" and the comma insert the words "or skin breaks".

#### AMENDMENT NUMBER FORTY-TWO.

On page 22, line 4, of the printed bill, after the word "fruit", add the following sentence: "Superficial thrip marks which do not cover more than five per cent of the surface of any peach shall not be considered as insect injury."

Senate Bill No. 580 ordered printed with the above proposed amendments, and re-referred to Committee on Agriculture and Live Stock.

#### ON MILITARY AFFAIRS.

##### SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Concurrent Resolution No. 19—Relative to reports of the department encampment and the annual convention of the Spanish-American War Veterans and the American Legion of the Department of California, respectively—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MUELLER, Chairman.

Senate Concurrent Resolution No. 19 ordered on file.

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

##### SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class;

Also: Senate Bill No. 344—An act to amend section 4268 of the Political Code, and to add a new section thereto to be numbered 4268a, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class;

Also: Senate Bill No. 442—An act to amend section 19r14 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fourteenth class;

Also: Senate Bill No. 468—An act to amend section 2322r24, relating to the office of the horticultural commissioners in counties of the twenty-third class;

Also: Senate Bill No. 706—An act to amend section 19r24 of the "Juvenile Court Law," relating to salaries of probation officers in counties of the twenty-fourth class;

Also: Senate Bill No. 618—An act to amend an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies, and other insects; and to provide for the assessment, levy, collection and disburse-



ment of taxes therein," approved May 29, 1915, by adding a new section thereto to be numbered 6a, declaring breeding places for mosquitoes to be a public nuisance and providing for the abatement thereof;

Also: Senate Bill No. 8—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system based on investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to the appointment and salaries of the State Civil Service Commissioners;

Also: Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor;

Also: Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools;

Also: Senate Bill No. 86—An act to amend section 1740 of the Political Code, relating to meeting places of high school boards;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 9—Relating to retirement pay for emergency officers of the World War—and reports that the same has been correctly enrolled, and presented to the Governor on the 28th day of February, 1927, at 3 o'clock and 45 minutes p.m.

JONES, RAY, Chairman.

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 32 An act regarding an act to amend section 30 of the California Vehicle Act, approved May 30, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it be printed with proposed amendments, and re-referred to Committee on Motor Vehicles.

Committee membership 15; committee vote: Ayes—13; noes—0; absent—2.

KLINE, Chairman.

#### PROPOSED AMENDMENTS TO SENATE BILL NUMBER THIRTY-TWO AS RECOMMENDED BY COMMITTEE ON MOTOR VEHICLES.

##### AMENDMENT NUMBER ONE.

Beginning with line 3, page 1, of the printed bill, strike out all the remainder of the bill and insert in lieu thereof the following:

Sec. 30. The chief of the division of motor vehicles may appoint a chief inspector and inspectors, captains and patrolmen.

(a) The chief of the division of motor vehicles is hereby authorized to appoint, pursuant to the state civil service act approved..... a chief inspector, inspectors, captains and patrolmen in such numbers as are necessary to properly enforce the provisions of this act throughout the state, and who are hereby vested with the authority of peace officers for said purpose.

(b) The chief inspector, inspectors, captains and patrolmen herein referred to shall be classified as follows: A chief inspector, who shall have general supervision over all inspectors, captains and patrolmen and be held responsible for the enforcement of the provisions of this act; inspectors, who shall be assigned to general duty throughout the state; captains, who shall be assigned to and have charge of a district; patrolmen, who shall be assigned to districts for the purpose of enforcing the provisions of this act.

The above officers shall receive annual compensation comprising their salaries of not less than the amounts hereinafter set forth, to wit:

Chief inspector .....	\$3,000 00
Inspectors .....	3,000 00
Captains .....	2,700 00
Patrolmen .....	2,400 00

Said compensations shall be paid in equal monthly installments.

(c) The state shall pay the compensation of such chief inspector, inspectors, captains and patrolmen and shall furnish all motor equipment, repairs thereto, and gasoline and oil necessary in the performance of their duties, and payment of such salaries and expenses shall be made out of the portion of the motor vehicle fund set aside under this act for the support of the division of motor vehicles.

(d) The chief inspector, inspectors, captains and patrolmen, when detailed away from their base or district, shall receive their necessary traveling and living expenses incurred in the performance of their duties.

(c) The chief inspector, inspectors, captains and patrolmen heretofore appointed by the chief of the division of motor vehicles under and pursuant to contracts entered into with boards of supervisors and so employed and serving at the time this amendment takes effect shall be classified and retain their positions as herein classified under civil service without examination, subject to any of the provisions in said civil service act or the rules and regulations prescribed in accordance therewith providing for probationary period, which shall be applicable to those employed less than six months previous to the date this amendment shall take effect.

SEC. 2. A new section to be numbered 30a is hereby added to the California vehicle act, to read as follows:

Sec. 30a. Any chief inspector, inspector, captain or patrolman appointed pursuant to the provisions of this act who sustains an injury while in the performance of his duties shall be entitled to full salary and to such medical and surgical attention and hospital treatment, including nursing, medicines, medical and surgical supplies, apparatus and crutches or artificial limbs as may be required during his disability and until such time as his injury shall be determined to be a permanent injury upon the advice of two regularly licensed physicians designated by the chief of the division of motor vehicles, in which case the injured chief inspector, inspector, captain or patrolman shall receive one-half of the salary he received at the time he received such injury for the remainder of his life, or until he shall be found to be physically able to return to duty on the advice of two regularly licensed physicians designated by the chief of the division of motor vehicles, and in such case the chief inspector, inspector, captain or patrolman shall be returned to regular duty.

A chief inspector, inspector, captain or patrolman who may be killed while in the performance of his duty and the decedent be married, his widow shall, as long as she remain unmarried, be paid one-half of the salary the decedent received at the time of his death.

Should the decedent leave no widow, but leave an orphan child or children, under the age of sixteen years, or should the decedent leave a widow and a child, or children, under the age of sixteen years, and the widow die without remarrying, while such child or children are yet under the age of sixteen years, such child or children collectively shall receive one-half of the salary their father received at the time of his death until the younger child attains the age of sixteen years; *provided* that no child shall receive any such salary after attaining the age of sixteen years.

For the purpose of carrying out the provisions of this section a fund is hereby created to which shall be applied twenty per cent of the total receipts received from the chauffeurs' and operators' licenses and transfer fees and to which each chief inspector, inspector, captain and patrolman shall contribute one dollar per month, which shall be retained out of his salary and applied hereto by the chief of the division of motor vehicles.

If for any reason any section, clause or provision of this act shall by any court be held unconstitutional, then the Legislature hereby declares that, irrespective of the unconstitutionality so determined of such section, clause or provision, it would have enacted and made the law of the state all other sections, clauses and provisions of this act.

Senate Bill No. 32 ordered printed with above proposed amendments.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Christian: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of article IV, relating to the expenditure of public money in State aid.

Referred to Committee on Constitutional Amendments.

#### REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Crowley:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title: An act to amend section 1203 of the Penal Code, relating to probation officers.

Request referred to Committee on Rules.

By Senator West:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title: An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for

the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to registered pharmacists and licentiates in pharmacy.

Request referred to Committee on Rules.

CONSIDERATION OF SENATE BILL NUMBER EIGHT HUNDRED THIRTY.

CASE OF URGENCY.

The following resolution was offered:

By Senator Kline:

*Resolved*, That Senate Bill No. 830 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young 39.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 830.

SECOND READING OF SENATE BILL NUMBER EIGHT HUNDRED THIRTY.

Senate Bill No. 830—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to powers and duties of board of directors.

Bill read second time, considered engrossed, and on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately.

The following is a statement of facts constituting such urgency:

The people of the State of California, at the general election held in said State on the second day of November, 1926, duly approved and ratified an amendment to section 31 of article IV of the constitution of the State of California, whereby irrigation districts were authorized and empowered, for the purpose of acquiring water and water rights and other property necessary for their uses and purposes, to acquire and hold the stock of corporations owning waters, water rights, canals, water works, franchises or concessions, subject to the same obligations and liabilities as are imposed by law upon all other stockholders in such corporations; that the power of the electors of irrigation districts to authorize, at a special election called therefor, the levy of special assessments, and the power of the board of directors of such districts to levy special assessments authorized at such election, is limited by the provisions of said California Irrigation District Act to the raising of money to be applied to any of the purposes, now expressed or specified in said act or any act supplementary thereto; that it is necessary to make said act conform to the provisions of section 31 of article IV of the constitution in so far as the same relate to irrigation districts, in order that said districts may be empowered to raise money by special assessments to be applied to the purchase of stock in water corporations for the purposes expressed in said constitutional provision; that it is necessary for the uses and purposes of some of the irrigation districts organized and now existing



under the laws of this State, that they should immediately acquire stock in water corporations in order to make water available for the irrigation of lands within their boundaries at the earliest possible moment and for domestic uses; that unless such water can be acquired and used for said purposes during the irrigation season of 1927, irreparable injury may be suffered by the owners of land situate therein and the inhabitants thereof; that unless this act goes into effect as an emergency measure, it can not take effect until ninety days from and after the adjournment of the present session of this Legislature, and the effective date thereof will be thereby postponed until the month of August or September of this year at which time the flow of the streams of California will be reduced to a minimum and no water will be available for irrigation purposes; that the public peace and safety require that this act shall go into immediate effect.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 830 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 1, 1927

MR. PRESIDENT: Your Committee on Rules, to which was referred resolution of Senator Inman, reading as follows:

*Resolved*, By the Senate, that the President of the Senate shall appoint three members of the Senate who shall act as a committee to investigate the matter of the observance and enforcement of the provisions of section 421a of the Civil Code of California; and, be it further

*Resolved*, That said committee at the earliest possible date report to the Senate its findings on the subject matter of said investigation, including its recommendations, if any, in respect to further legislation that may be needed or that may be desirable upon the subject; and, be it further

*Resolved*, That the expenses incurred in such investigation, not to exceed the sum of \$200, shall be paid out of the contingent fund of the Senate; Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5; noes—0.

BREED, Chairman.

#### CONSIDERATION OF RESOLUTION.

Senator Inman asked unanimous consent to take up the following resolution at this time for the purpose of adoption:

Unanimous consent granted.

By Senator Inman:

*Resolved*, By the Senate, that the President of the Senate shall appoint three members of the Senate who shall act as a committee to investigate the matter of the observance and enforcement of the provisions of section 421a of the Civil Code of California; and, be it further

*Resolved*, That said committee at the earliest possible date report to the Senate its findings on the subject matter of said investigation, including its recommendations, if any, in respect to further legislation that may be needed or that may be desirable upon the subject; and, be it further

*Resolved*, That the expenses incurred in such investigation, not to exceed the sum of \$200, shall be paid out of the contingent fund of the Senate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller West, and Young—39.

NOES—None.

#### APPOINTMENT BY THE PRESIDENT.

In accordance with the foregoing resolution, the President announced the appointment of Senators Inman (chairman), Allen, J. M., and Ingram.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class.

#### AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered, and their adoption moved by Senator Handy:

##### AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out the words "and who" and insert in lieu thereof the words "the chief deputy".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, after the comma following the word "annum" appearing in lines 11 and 12, of the printed bill, insert the following: "and each of the other three deputies shall receive a salary of one thousand five hundred dollars per annum".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 4, line 26, of the printed bill, before the word "three" insert the words "one and".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 4, line 26, of the printed bill, strike out the following: "four, eight, thirteen,".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 4, line 27, of the printed bill, insert a period after the word "incumbents" and strike out the following: "and shall take effect and be in force ninety".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, strike out all of line 28.

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, line 10, of the printed bill, strike out the word "each".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 665—An act to amend section 2322, r42 of the Political Code, relating to salaries of horticultural commissioner in counties of the forty-second class.

Bill read second time, ordered engrossed, and on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption.

On motion of Senator West, Senate Bill No. 154 was re-referred to Committee on Judiciary.

Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 620 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act.

Bill read third time.

## HOUR OF RECESS EXTENDED.

On motion of Senator Breed at one o'clock p.m., the hour of recess was extended until the conclusion of the argument on Senate Bill No. 9.

## POINT OF ORDER.

Senator Fellom raised the point of order that article IV, section 25, paragraph 19, expressly prohibited the Legislature from "granting



to any corporation, association, or individual any special or exclusive right, privilege, or immunity."

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 9 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Gray, Handy, Ingram, Inman, Johnson, Lyon, McKinley, Mueller, Murphy, Nelson, Sharkey, Slater, Tubbs, Weller, West, and Young—25.

NOES—Senators Allen, N. M., Cobb, Fellom, Garrison, Hollister, Hurley, Jones, H. C., Jones, Ray; Kline, Maloney, Pedrotti, Swing, Taylor, and Wagy—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

ANNOUNCEMENT BY THE PRESIDENT.

The President announced the appointment of Senator Handy to succeed Senator Ingram on the committee previously appointed relative to selecting the date for dedicating the California building for the Nevada Transcontinental Highways Exposition at Reno.

ADJOURNMENT.

At two o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

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IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, March 2, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 1, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. George T. Carr, mining engineer, from New Zealand.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to B. H. Read, executive secretary California Newspaper Publishers' Association of Los Angeles, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John L. McNab and Maurice McNab of San Francisco, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to E. H. Padan, principal; Dorothy Perry and Frances Costello, teachers, and the following students of Vaca Valley union high school: George Jesser, Ralph Tate, Joe Lozona, Frank Bera, John Rodriguez, Robert D. Rogers, Caesar Bradanini, Cecil Hargis, Elmer Wood, Joe Garcia, Eben Stevens, Silas Pulido, Robert Costello, Robert A. Rogers, Billie Manuel, Kenzo Nakamura, Lawrence Goodell, Irma Higson, Dallas Smith, Laura Shaefer, Norma Parker, Tsujiko Handa, Ayako Hashimura, Annie Zupo, Eleanore Vaer Vaeke, Olive B. McMillan, Aleen Thorington, Lois Buck and Ineko Handa.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 633—An act to amend section 649 of the Civil Code and to add certain new sections to be known as sections 649a, 651a, 651b, 651c and 651d, relating to the incorporation of colleges and seminaries of learning—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

WEST, Chairman.

Senate Bill No. 633 ordered on file for second reading.

## ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 30—An act to provide that a certain highway in Santa Cruz County shall become a State highway on approval of such highway by the California Highway Commission;

Also: Senate Bill No. 196—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County;

Also: Senate Bill No. 215—An act to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to assessment;

Also: Senate Bill No. 222—An act declaring a certain public highway extending from Clements in San Joaquin County to Ione in Amador County to be a State highway and providing for the construction of the same;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—10; absent—5.

SHARKEY, Chairman.

Senate Bills Nos. 30, 196, 215, and 222 ordered on file for second reading.

## ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—8; noes—0; absent—1.

HANDY, Chairman.

Senate Bill No. 97 ordered on file for second reading.

## CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, excepting certain counties from the provisions thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 320—An act providing for the distribution of any money appropriated by the State of California for the encouragement of county and district fairs.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis Law" of California; to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act, including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 3 of the printed bill, between lines 44 and 45, insert the following as a paragraph:

(c) Cattle for immediate slaughter may be brought into the State of California without a tuberculin test record or tuberculin test, provided said cattle are shipped, transported, or otherwise moved to a place where meat inspection service is maintained by the department of agriculture of the State of California or the United States bureau of animal industry, or to a place designated by the department of agriculture of the State of California.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 4 of the printed bill, between lines 43 and 44, insert the following as a paragraph:

(b) Every animal reacting to the tuberculin test during the conduct of such survey shall be quarantined in accordance with section 402d of the Penal Code and in accordance with the provisions of an act entitled: "An act to protect domestic



live stock from contagious and infectious diseases, to prescribe the duties of officials to carry into effect the provisions of this act, to provide for the appointment of a veterinarian, and to repeal an act entitled "An act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this act, and to provide an appropriation therefor," approved March 18, 1899, as amended," approved June 3, 1921, as amended. If the county wherein such reactors are located is declared a tuberculosis eradication area, such animals shall be disposed of in accordance with the provisions of this act, and if such tuberculosis eradication area is not declared, then the said quarantine shall be revoked.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 44, of the printed bill, strike out the letter (b), and insert in lieu thereof the letter (c).

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 16, of the printed bill, strike out the letter (c), and insert in lieu thereof the letter (d).

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 16, of the printed bill, strike out the words "at the option of the owner".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, between the lines 19 and 20, of the printed bill, insert the words "within sixty days".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 721—An act to add a new section to the Political Code, to be numbered 4041j, relating to the building and maintenance of permanent county fair buildings by the county board of supervisors.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "counties" add the following: "on lands owned by the county or any municipal corporation or body politic".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 130—An act to amend section 19x56 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of the probation officer in counties of the fifty-sixth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal section 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division 1 of said code, consisting of sections 350 to 350x, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 265—An act to add a new section to the Code of Civil Procedure, to be numbered 559½, relating to writs of attachment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 616—An act to amend section 3787 of the Political Code, relating to the collection of property taxes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 617—An act to amend section 1 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants and other municipal securities which have become defaced or mutilated," approved February 23, 1907.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 221—An act to amend section 307 of the Civil Code, excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 582—An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative act, the Chiropractic Initiative Act, or any other act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 271—An act to amend section 2 of "the State Medical Practice Act," approved June 2, 1913, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing

for the levying and collecting of taxes on property in such districts to defray the expenses thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 447—An act to add a new section to the Political Code, to be numbered 1608*b*, providing courses in forestry, the acquiring by school districts of necessary lands therefor outside such districts, the afforestation and reforestation thereof, and of public lands, and for transportation of pupils.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State forester to protect such area.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the word "published" in said line, insert the following: "once a week for three successive weeks".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 310—An act to amend the State Medical Practice Act, approved June 2, 1913, as amended, by adding thereto a new section known as section 11*a*, relating to the recognition of a certificate of examination issued by the National Board of Medical Examiners of the United States.

Bill read second time, ordered engrossed, and on file for third reading.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 494—An act to amend section 4267 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the thirty-eighth class, and fixing the mileage and per diem of grand and trial jurors in such counties;

Also: Senate Bill No. 81—An act to amend sections 8 and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to narcotic drugs;

Also: Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and



other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses;

Also: Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class;

Also: Senate Concurrent Resolution No. 19—Relative to reports of the department encampment and the annual convention of the Spanish-American War Veterans and the American Legion of the Department of California, respectively;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 494—An act to amend section 4267 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the thirty-eighth class, and fixing the mileage and per diem of grand and trial jurors in such counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 494 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 131 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 344—An act to amend section 4268 of the Political Code and to add a new section thereto, to be numbered 4268a, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 344 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram,

Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 442—An act to amend section 19.r14 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fourteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 442 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 468—An act to amend section 2322.r24, relating to the office of the horticultural commissioners in counties of the twenty-third class.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Baker moved to refer Senate Bill No. 468 to Senator Hollister, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

In the third line of the title of the printed bill, strike out "twenty-third," and insert in lieu thereof "twenty-fourth".

##### AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out "twenty-third" and insert in lieu thereof "twenty-fourth".

##### AMENDMENT NUMBER THREE.

In the second line of the title of the printed bill, after the word "four" add the following: "of the Political Code,".

##### AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, after the figure "4" insert the following: "of the Political Code,".

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 468, with instructions to amend, respectfully reports the same back, amended as per instructions.

HOLLISTER, Special Committee.

Report read, and on motion of Senator Baker, bill ordered to print and re-engrossment.

Senate Bill No. 706—An act to amend section 19x24 of the "Juvenile Court Law," relating to salaries of probation officers in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 706 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 81—An act to amend sections 8 and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to narcotic drugs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 618—An act to amend an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies, and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, by adding a new section thereto, to be numbered 6a, declaring breeding places for mosquitoes to be a public nuisance and providing for the abatement thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 618 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses.

On motion of Senator Young, Senate Bill No. 73 was passed on file.

Senate Bill No. 8—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system based on investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to the appointment and salaries of the State Civil Service Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 8 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator West to introduce a bill entitled—An act to amend sections 2, 3, 4 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to registered pharmacists and licentiates in pharmacy—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator West: Senate Bill No. 836—An act to amend sections 2, 3, 4 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to registered pharmacists and licentiates in pharmacy.

Bill read first time, and referred to Committee on Public Health and Quarantine.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Crowley to introduce a bill entitled "An act to amend section 1203 of the Penal Code, relating to probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Crowley: Senate Bill No. 837—An act to amend section 1203 of the Penal Code, relating to probation officers.

Bill read first time, and referred to Committee on County Government.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor.

On motion of Senator Slater, Senate Bill No. 152 was re-referred to Committee on Finance.

Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 469 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 86—An act to amend section 1740 of the Political Code, relating to meeting places of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 86 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Nelson, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 530 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C. Jones, Ray; Maloney, Murphy, Nelson, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 665—An act to amend section 2322, 42 of the Political Code, relating to salaries of horticultural commissioner in counties of the forty-second class.

Senate Bill No. 665 passed on file.

#### SENATE CONCURRENT RESOLUTION No. 19.

Relative to reports of the department encampment and the annual convention of the Spanish-American War Veterans and the American Legion of the Department of California, respectively.

*Resolved by the Senate, the Assembly concurring,* That there shall be printed as a public document five hundred copies of the session of the Department Encampment of California of the United Spanish War Veterans for the year 1927 and of each succeeding department encampment, together with illustrations, copies of general orders of the department and of the official roll, two hundred fifty copies for the use of the Senate and two hundred fifty copies for the use of the Assembly. Annual cost of



same not to exceed six hundred dollars payable from the legislative printing appropriation; and be it further

*Resolved*, That there shall be printed as a public document five hundred copies of the report of the annual convention of the American Legion of the Department of California for the year 1927 and of each succeeding annual convention, together with illustrations, copies of general orders enacted at such convention and of the official roll, two hundred fifty copies for the use of the Senate and two hundred fifty copies for the use of the Assembly. Annual cost of same not to exceed six hundred dollars payable from the legislative printing appropriation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, West, and Young—35.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 19 ordered transmitted to the Assembly.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the period (.) following the word "government" and insert in lieu thereof the following: "but every distributor shall be required to report such exports and sales to the state board of equalization in such detail as that board may require."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce bill was presented:  
By Senator Rush:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation

to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

### Request referred to Committee on Rules.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Nelson: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations be amended.

Referred to Committee on Constitutional Amendments.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 768—An act to amend sections 2, 33 and 50 of an act entitled "An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by their officers, and the rights and remedies of patrons of other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division 1 of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to definitions—has had the same under consideration, and respectfully reports the same back with proposed amendments, and recommends that it be printed with the proposed amendments, and re-referred to Committee on Public Utilities.

WAGY, Chairman.

##### PROPOSED AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED SIXTY-EIGHT, AS RECOMMENDED BY COMMITTEE ON PUBLIC UTILITIES.

###### AMENDMENT NUMBER ONE.

In the eighth line of the title of the printed bill, strike out the words: "their officers and the rights and remedies of patrons of".

###### AMENDMENT NUMBER TWO.

In the last line of the title of the printed bill, strike out the word "definitions" and substitute in lieu thereof the words "definition of and regulation of passenger stage corporations."

###### AMENDMENT NUMBER THREE.

On page 3, lines 5 to 28, both inclusive, of the printed bill, strike out the whole thereof and insert in lieu thereof the following:

(k) 1. The term "passenger stage" when used in this act, includes every stage, auto stage or other motor vehicle, used in the transportation of persons, or persons and their baggage or express, or persons or baggage or express, when such baggage or express is transported incidental to the transportation of passengers.

(k) 2. The term "passenger stage corporation", when used in this act, includes every corporation, or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged as a common carrier, for compensation, in the ownership, control, operation or management of any passenger stage over any public highway in this state between fixed termini or over a regular route; *provided, however*, that this term shall not include those whose operations are exclusively within the limits of a single incorporated city, town or city and county, or whose operations consist solely in the transportation of bona fide pupils attending an institution of learning between their homes and such institution of learning.

(k) 3. The words "between fixed termini or over a regular route", when used in this act, mean the termini or route between or over which any passenger stage corporation usually or ordinarily operates any passenger stage, even though there may be departures from said termini or route, or such operation be periodic or irregular.

## AMENDMENT NUMBER FOUR.

On page 6, line 10, of the printed bill, strike out the words: "passenger stage corporation".

## AMENDMENT NUMBER FIVE.

On page 6, lines 20 and 21, of the printed bill, strike out the words "passenger stage corporation".

## AMENDMENT NUMBER SIX.

On page 6, lines 26 and 27, of the printed bill, strike out the words "passenger stage corporation".

## AMENDMENT NUMBER SEVEN.

On page 7, lines 32 and 33, of the printed bill, add a new section to be known as section 49a, as follows:

Sec. 49a. Should any passenger stage corporation under laws of this state, or law or ordinance of any city, county, or city and county, be required to insure the public against loss by reason of personal injury or death or damage or destruction of property, that may result to any person or property from the operations of such corporation, the railroad commission shall, on application of such interested corporation, with or without hearing, determine whether and on what conditions such corporation might itself carry such insurance and may issue to such carrier a certificate of self insurance which may, on notice to such corporation, and under such rules and procedure as the railroad commission may adopt, be revoked or from time to time amended or altered.

The corporation receiving such order or certificate permitting self insurance may file a certified copy thereof in lieu of any insurance policy or bond that may be by law or ordinance otherwise required for such period of time as such order or certificate shall remain effective.

## AMENDMENT NUMBER EIGHT.

On page 8, lines 28 to 42, both inclusive, of the printed bill, strike out the whole thereof.

## AMENDMENT NUMBER NINE.

On page 10, of the printed bill, between lines 13 and 14, insert the following:

(e) No passenger stage corporation shall hereafter operate or cause to be operated any passenger stage over any public highway in this state without first having obtained from the railroad commission a certificate declaring that public convenience and necessity require such operation, but no such certificate shall be required of any passenger stage corporation as to the fixed termini between which, or the route over which, it is actually operating in good faith at the time this act becomes effective in compliance with the provisions of an act known as chapter 213, statutes of 1917, of the State of California, approved May 10, 1917, and amendments thereto. Any right, privilege, franchise or permit held, owned or obtained by any transportation company may be sold, assigned, leased, mortgaged, transferred, inherited, or otherwise encumbered as other property, only upon authorization by the railroad commission. The railroad commission shall have power, with or without hearing, to issue said certificate as prayed for, or to refuse to issue the same, or to issue it for the partial exercise only of said privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity may require. Each application for a certificate of public convenience and necessity made under the provisions of this subsection must be accompanied by a fee of fifty dollars.

Whether or not any stage, auto stage, or other motor vehicle is operated as a passenger stage corporation "between fixed termini or over a regular route" within the meaning of this act shall be a question of fact, and the finding of the railroad commission thereon shall be final and shall not be subject to review. Any act of transporting or attempting to transport any person or persons by stage, auto stage, or other motor vehicle upon the public highway of this state between two or more points not both within the limits of a single incorporated city, town, or city and county, where the rate, charge or fare collected or demanded for such transportation is computed on an individual fare basis, shall be presumed to be an act of operating as a passenger stage corporation within the meaning of this act.

## AMENDMENT NUMBER TEN.

On page 10, line 14, of the printed bill, strike out (e) and insert in lieu thereof (f).

Senate Bill No. 768 ordered printed with the above proposed amendments, and re-referred to Committee on Public Utilities.

## ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 600—An act to provide for the destruction by the State Fish and Game Commission of certain fish in Clear Lake, in the county of Lake, State of



California; for the disposal thereof; to pay a bonus therefor, and appropriating moneys in order to carry on the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—12; absent—3.

CHAMBERLIN, Chairman.

Senate Bill No. 600 re-referred to Committee on Finance.

#### ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 634—An act to amend section 11 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to salaries of the superintendent and employees of Bureau of Criminal Identification—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

SWING, Chairman.

Senate Bill No. 634 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11i, embracing sections 372 to 372c, relative to a Department of Health;

Also: Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11h, embracing sections 367 to 367g, relating to a Department of Social Welfare;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—12; committee vote: Ayes—12; noes—0.

SWING, Chairman.

Senate Bills No. 793 and 794 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 40—An act to amend section 739 of the Political Code, relating to salaries of officers of the Supreme Court—has had the same under consideration, and respectfully reports the same back for the purpose of having attached amendments printed, and the bill as amended re-referred to committee.

SWING, Chairman.

#### PROPOSED AMENDMENT TO SENATE BILL NUMBER FORTY AS RECOMMENDED BY COMMITTEE ON GOVERNMENTAL EFFICIENCY.

##### AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the words "three thousand dollars", and insert in lieu thereof the words "three thousand three hundred dollars".

Senate Bill No. 40 ordered printed with the above proposed amendment, and re-referred to Committee on Governmental Efficiency.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 87—An act to amend section 617 of the Civil Code, relating to funds of cemetery corporations for perpetual care of lots;

Also: Assembly Bill No. 842—An act to amend section 113 of the Code of Civil Procedure, relating to jurisdiction of justices' court;

Also: Assembly Bill No. 843—An act to amend section 1163 of the Code of Civil Procedure;

Also: Assembly Bill No. 962—An act making an appropriation to meet a deficiency in the appropriation for support of Folsom Prison for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 963—An act making an appropriation to meet a deficiency in the appropriation for support, San Quentin Prison, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 964—An act making an appropriation to meet a deficiency in the appropriation for salaries, San Quentin Prison, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 965—An act making an appropriation to meet a deficiency in the appropriation for salaries of the Railroad Commission for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 528—An act to amend section 164 of the Civil Code, relating to community property.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 87, 842, and 843 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 962, 963, 964, and 965 read first time, and referred to Committee on Finance.

Assembly Bill No. 528 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 489—An act to add three new sections to the Political Code to be numbered 3664aa, 3670bb and 3670cc, relating to taxation of highway transportation companies for State purposes.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Assembly Bill No. 489 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 14—Relative to the development of the Colorado River and the protection of the Imperial Valley from flood.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Joint Resolution No. 14 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Also: Assembly Bill No. 769—An act to amend sections 1510, 1511b and 1514 of the Penal Code, relating to the powers and duties of coroners;

Also: Assembly Bill No. 243—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the constitution of municipal courts and the compensation of judges, officers and attaches of such courts in cities or cities and counties of the first and one-half class;

Also: Assembly Bill No. 50—An act to add a new section to the Political Code, to be numbered 2820, declaring the cultivated black currant (*Ribes nigrum*), a public nuisance, and providing for its eradication; and providing a penalty for the violation of the provisions of this act;

Also: Assembly Bill No. 1061—An act to amend section 14 of the "California Grain Standardization Act," approved June 3, 1921, as amended, relating to the disposition of moneys and to the abolition of the "grain standardization fund";

Also: Assembly Bill No. 1062—An act to amend section 17 of "The California Economic Poison Act of 1921," approved June 3, 1921, relating to disposition of fees.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 769 read first time, and referred to Committee on County Government.

Assembly Bill No. 243 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 50, 1061 and 1062 read first time, and referred to Committee on Agriculture and Live Stock.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1148—An act making an appropriation to meet the deficiency in the appropriation for the mileage of members of the Assembly for the seventy-seventh and seventy-eighth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

INMAN, Chairman.

##### CASE OF URGENCY.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 1148 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Slater, Tubbs, Wag, and Weller—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1148.

#### SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED FORTY-EIGHT.

Assembly Bill No. 1148—An act making an appropriation to meet the deficiency in the appropriation for the mileage of members of the Assembly for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

##### URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Sharkey, Slater, Tubbs, and Wag—30.

NOES—None.

Bill read third time.



The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1148 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

#### IN SENATE.

##### SENATE CHAMBER.

SACRAMENTO, Thursday, March 3, 1927.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—39.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 2, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVE OF ABSENCE.

Senator West was, on motion of Senator Evans, granted leave of absence for this day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Amandale Barker, Miss Roselle Edgell, Clarence Mossman and William R. Sharkey, Jr., students of College of Pacific at Stockton, California.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Gertrude Slocum of San Francisco, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Bessie Chamberlain, City Clerk of Pasadena.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to T. Mahneke, Secretary of the Palo Verde Valley Chamber of Commerce.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Chas. G. Dunwoody, director Department of Conservation, California Development Association, and Morris M. Ferguson of Los Angeles, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Thomas M. Gannon, San Francisco, and Walker Fuller of Los Angeles, California.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

##### ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 564—An act regarding an act to amend section 236 of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

McKINLEY, Chairman.

Senate Bill No. 564 ordered on file for second reading.

##### ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 814—An act relating to intoxicating liquors, making it a felony to own, operate or knowingly possess any still used, designed or intended for the manufacture of intoxicating liquor and providing a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—7.

COBB, Chairman.

Senate Bill No. 814 ordered on file for second reading.

##### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add a new section to said act to be numbered section 15a, relating to the payment of the interest due on bonds of the district:

Also: Senate Bill No. 70—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Senate Bill No. 71—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Senate Bill No. 72—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913, by providing that the surplus funds in the treasury of municipal utility districts may be invested in like manner as those of other municipal corporations mentioned in said act;

Also: Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bills Nos. 65, 70, 71, 72, and 278 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 143—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens;

Also: Senate Bill No. 68—An act to amend section 6 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add three new sections to said act to be numbered sections 6a, 6b, and 6c respectively, relating to the annexation of territory to said district, and also adding a new section to said act to be numbered section 6d, relating to the control of any existing publicly owned utility in such district;

Also: Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto to be numbered section 15b, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security for the deposit of public funds;

Also: Senate Bill No. 205—An act to cure defects in maps or plats filed for record prior to January 15, 1927, and in deeds or conveyances referring to such maps; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bills Nos. 143, 68, 69, and 205 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 79—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government and relating to the compensation of officers of municipalities;

Also: Senate Bill No. 277—An act to amend an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof and for the districting, governing and municipal control of such annexed territory," approved June 11, 1913, as amended, by amending section 9 of said act to provide for the preservation of the status of special improvement proceedings;

Also: Senate Bill No. 303—An act authorizing municipalities to declare any accumulation of stagnant water, manure, garbage, offal, rubbish, or filthy or offensive matter of any kind upon private property within municipalities to be a public nuisance and creating a lien upon the property upon which such nuisance exists for the cost of abating the same;

Also: Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended;



Also: Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bills Nos. 79, 277, 303, 475, and 266 ordered on file for second reading.

#### ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 439—An act to create the State Park Commission; to define its powers and duties; to make an appropriation therefor and to establish a contingent fund and a revolving fund;

Also: Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying of this survey;

Also: Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State park bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective;

Has had the same under consideration, and respectfully reports the same back for the purpose of having attached amendments adopted, and the bills as amended re-referred to the committee.

Committee membership—13; committee vote: Ayes—12; noes—0; absent—1.

SWING, Chairman.

#### PROPOSED AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-NINE, AS RECOMMENDED BY COMMITTEE ON GOVERNMENTAL EFFICIENCY.

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the entire title, and add a new title as follows:

An act to provide that the department of natural resources, through the state park commission, shall have control of the state park system; to establish and define the state park system; to define certain powers and duties of the state park commission; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 15 inclusive (all of section 1), and substitute the following new section:

Section 1. The department of natural resources, through the state park commission, shall have control of the state park system of California.

##### AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed bill, insert after the word "government" the words "and administration".

##### AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, strike out the words "state park director" and insert, in lieu thereof, the words "chief of the bureau of state parks".

##### AMENDMENT NUMBER FIVE.

On page 2, line 52, of the printed bill, strike out the words "director of state parks", and insert, in lieu thereof, the words "chief of the bureau of state parks".

##### AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out lines 3 to 9 inclusive (all of section 7), and substitute the following new section:

Sec. 7. There is hereby created the state park contingent fund. All moneys collected or received from gifts or bequests, or from municipal or county appropriations or donations for the improvement and or additions to the state park system shall be deposited in the state treasury to the credit of said contingent fund. All moneys so deposited shall be used for the improvement and or administration of state parks and or the acquisition of additional lands and properties for the state park system, in accordance with the terms of the gift, bequest or municipal or county

appropriation or donation from which the said moneys are derived. All moneys collected by the state park commission from fees or charges shall be deposited in the general fund of the State of California.

Senate Bill No. 439 ordered printed with the above proposed amendments, and re-referred to Committee on Governmental Efficiency.

PROPOSED AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FORTY AS RECOMMENDED BY COMMITTEE ON GOVERNMENTAL EFFICIENCY.

AMENDMENT NUMBER ONE.

In title to act on printed bill, last line, after the word "carrying" insert the word "on".

AMENDMENT NUMBER TWO.

In title to act on printed bill, last line, after the word "survey" add the following: "and repealing an act entitled 'An act relating to the acquisition by the state of forest land for park purposes; authorizing the state board of forestry to make a survey and report on all suitable forest park sites in the state; providing a method for procuring such parks by purchase, gift, devise, donation or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for assistance by the attorney general; vesting the state board of forestry with jurisdiction and control of such parks after their acquisition by the state and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act', approved May 29, 1923."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, after the title "Section 1", insert the following:

"The department of natural resources, through".

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, strike out the word "1929", and insert, in lieu thereof, the word "1928".

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed bill, strike out the words "Section 1 of".

AMENDMENT NUMBER SIX.

On page 2, lines 6, 7, 8, and 9, of the printed bill, strike out the following: "providing for such a survey by the state board of forestry, and that portion of section 2 of the same act pertaining to such a survey by the state forestry board, are", and insert in lieu thereof, the word "is".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 10 to 11 inclusive (all of section 4), and substitute the following new section:

Sec. 4. Out of any moneys in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars is hereby appropriated to be expended in accordance with law for the purpose of carrying out the provisions of this act.

Senate Bill No. 440 ordered printed with the above proposed amendments, and re-referred to Committee on Governmental Efficiency.

PROPOSED AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FORTY-ONE AS RECOMMENDED BY COMMITTEE ON GOVERNMENTAL EFFICIENCY.

AMENDMENT NUMBER ONE

On page 1, line 6, of the printed bill, strike out the words "are desirable", and insert in lieu thereof the words "shall be suitable".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the word "provided", strike out the word "for".

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, after the numeral "19" insert the numeral "34".

AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, after the numeral "19" insert the numeral "57".

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, after the comma after the word "death", insert the word "resignation".

## AMENDMENT NUMBER SIX.

On page 2, line 34, of the printed bill, after the comma after the word "office", insert the phrase "expiration of term of office,".

## AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, strike out all of lines 19 to 51, inclusive, and insert the following:

Such resolution of the state park commission shall specify the amount of money which in the judgment of said state park commission shall be required at such time, and the said state park finance board shall direct the state treasurer to sell such number of bonds as will at the par value thereof equal said amount of money so required according to such resolution of the state park commission. Each such resolution of the state park commission shall embody and contain a certificate of the following facts:

1. That the amount of money specified is required to enable the state park commission to fulfill the terms of a certain contract, (describing it in general terms sufficient to identify it), and that said contract has been duly executed by all of its parties; or that an award or valuation in condemnation proceedings has been made which is equal to the amount of money specified.

2. That there are not available funds in the California state park fund of 1927, hereinafter referred to, sufficient to pay the purchase price or money obligation specified in said contract, or award in condemnation proceedings, to be paid by the State of California; or if there are funds in amount sufficient for such purpose, that such funds have been and are allocated to the payment of other obligations incurred or contracted for by the said state park commission; or if some or all of said funds in said California state park fund of 1927 are not allocated to the payment of other obligations, that the amount of money required by said resolution, together with such non-allocated funds in the California state park fund of 1927, is not more than ten per cent more than the amount which will be required to perform the contract or pay the award in condemnation proceedings relating to the project for which funds are required, as stated in said resolution of the state park commission.

Anything to the contrary in this act appearing notwithstanding, the state park finance board shall direct the sale of bonds only when there has been deposited with the state treasury a fund from private gift, city or county appropriation, or from some source other than appropriation by the people of the State of California, or the sale of state bonds, which shall be equal to the amount to be realized for the project intended to be accomplished from the sale of bonds as hereinabove provided, except that the state park finance board shall authorize the sale of bonds for the purposes indicated in this act to carry out any park project for the acquisition of lands and properties when it is shown to the satisfaction of the state park finance board that half the total value involved in such project has been provided from sources other than appropriation by the people of the State of California or the sale of state bonds, in the form of land, timber or other properties, or in money, or in any or all such properties. Any and all directions of the state park finance board requiring the state treasurer to sell any of the bonds herein provided for shall be deemed conclusive evidence that all conditions requisite to a valid issuance and sale of the bonds so directed to be sold have been met, performed and complied with.

## AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, strike out all of lines 1 and 2.

## AMENDMENT NUMBER NINE.

On page 5 of the printed bill, strike out lines 27, 28, 29 and the words "as hereinbefore provided", in line 30, and insert in lieu thereof the following: "California state park fund of 1927, hereinafter referred to".

## AMENDMENT NUMBER TEN.

On page 6, line 18, of the printed bill, insert the following after striking out lines 18 to 25, inclusive:

Sec. 6. There is hereby created in and for the state treasury a fund to be known and designated as "The California state park fund of 1927", and immediately upon the receipt of the purchase price from each sale of bonds sold as provided in this act, the state treasurer shall pay into the state treasury and cause to be placed in the said California state park fund of 1927, the amount received as the purchase price of said bonds, except such amount as may have been paid as accrued interest thereon. Whenever any of the bonds authorized by this act shall be sold pursuant to a resolution of the state park commission, as provided in section 5 of this act, the funds realized from such sale shall be deemed to be allocated to the accomplishment of the purpose specified in said resolution of the state park commission and shall not be used for any other purpose; *provided, however*, that if after such sale the said state park commission shall certify in writing to the state treasurer and to the state park finance board that the contract intended to be performed by application of the funds realized from such sale of said bonds has been cancelled, rescinded



or become impossible of performance, or that the project intended to be accomplished through condemnation proceedings has been abandoned or become impossible of performance, and that such contract or award is no longer a valid charge or the basis of a valid claim against the State of California or the said state park commission, then upon the filing of such certificate the said funds shall be released from the purpose to which they were allocated and shall be and become available for the acquisition of any lands and other properties which the said state park commission shall deem suitable to be included in the California state park system. *Provided*, that none of said funds shall be expended unless there shall have been deposited in the state treasury a fund from some source other than appropriation by the people of the State of California, or the sale of state bonds, equal to the amount to be expended from said funds, or a donation equal in value to the amount of said funds intended to be expended shall have been made from sources other than appropriation by the people of the State of California, or the sale of state bonds, in the form of land, timber or other property, or in money, or in any or all of such properties.

## AMENDMENT NUMBER ELEVEN.

On page 6, line 32, of the printed bill, strike out the numeral "6" after the word "Sec.", and insert the numeral "7".

## AMENDMENT NUMBER TWELVE.

On page 6, line 37, of the printed bill, strike out the numeral "7" after the word "Sec.", and insert the numeral "8".

## AMENDMENT NUMBER THIRTEEN.

On page 7, line 14, of the printed bill, strike out the numeral "8" after the word "Sec.", and insert the numeral "9".

## AMENDMENT NUMBER FOURTEEN.

On page 7, line 27, of the printed bill, strike out the numeral "9" after the word "Sec.", and insert the numeral "10".

## AMENDMENT NUMBER FIFTEEN.

On page 7, line 33, of the printed bill, strike out the numeral "10" after the word "Sec.", and insert the numeral "11".

## AMENDMENT NUMBER SIXTEEN.

On page 7, between lines 43 and 44, of the printed bill, insert the following:

Sec. 12. The words "state park commission," whenever used in this act, shall be construed to mean and to designate the commission so entitled and existing at the date of approval of this act by the governor, if any such commission there be, and if not, or in event that said commission shall hereafter be abolished or cease to exist, then said words "state park commission" shall be construed to mean and designate such other board, department, officer or commission as may from time to time be charged with the development and maintenance of the California state park system.

## AMENDMENT NUMBER SEVENTEEN.

On page 7, line 44, of the printed bill, after the word "Sec.", change the numeral "11" to "13".

## AMENDMENT NUMBER EIGHTEEN.

On page 7 of the printed bill, strike out lines 46, 47, 48, 49, and 50.

Senate Bill No. 441 ordered printed with the above proposed amendments, and re-referred to Committee on Governmental Efficiency.

## ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 355—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to state for delinquent taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Senate Bill No. 355 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 290—An act to amend section 20 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and

to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' approved June 3, 1921, and all amendments thereto, and adding a new section to be numbered section 6½ has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—13; committee vote: Ayes—9.

NELSON, Chairman.

Senate Bill No. 290 ordered on file for second reading.

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rush, to introduce a bill entitled—"An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts - has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—32.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Rush: Senate Bill No. 838—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 292—An act regarding an act to amend section 308 of the Civil Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

McKINLEY, Chairman.

Senate Bill No. 292 ordered on file for second reading.

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved May 20, 1915, excepting certain counties from the provisions thereof;

Also: Senate Bill No. 320—An act providing for the distribution of any money appropriated by the State of California for the encouragement of county and district fairs;

Also: Senate Bill No. 130—An act to amend section 19x56 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of the probation officer in counties of the fifty-sixth class;

Also: Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code consisting of sections 350 to 350x, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states;

Also: Senate Bill No. 265—An act to add a new section to the Code of Civil Procedure, to be numbered 5593, relating to writs of attachment;

Also: Senate Bill No. 616—An act to amend section 3787 of the Political Code, relating to the collection of property taxes;

Also: Senate Bill No. 617—An act to amend section 1 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants and other municipal securities which have become defaced or mutilated," approved February 23, 1907;

Also: Senate Bill No. 221—An act to amend section 307 of the Civil Code excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section;

Also: Senate Bill No. 582—An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act;

Also: Senate Bill No. 271—An act to amend section 2 of "The State Medical Practice Act," approved June 2, 1913, as amended;

Also: Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended and approved May 23, 1925;

Also: Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways;

Also: Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof;

Also: Senate Bill No. 447—An act to add a new section to the Political Code, to be numbered 1608b, providing courses in forestry, the acquiring by school districts



of necessary lands therefor outside such districts, the afforestation and reforestation thereof, and of public lands, and for transportation of pupils;

Also: Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended;

Also: Senate Bill No. 310—An act to amend the State Medical Practice Act, approved June 2, 1913, as amended, by adding thereto a new section known as section 11a, relating to the recognition of a certificate of examination issued by the National Board of Medical Examiners of the United States;

Also: Senate Bill No. 665—An act to amend section 2322x42 of the Political Code, relating to salaries of horticultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 721—An act to add a new section to the Political Code, to be numbered 4041j, relating to the building and maintenance of permanent county fair buildings by the county board of supervisors;

Also: Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board;

Also: Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 633—An act to amend section 649 of the Civil Code and to add certain new sections, to be known as sections 649a, 651a, 651b, 651c and 651d, relating to the incorporation of colleges and seminaries of learning.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 30—An act to provide that a certain highway in Santa Cruz County shall become a State highway on approval of such highway by the California Highway Commission.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 196—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 215—An act to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to assessment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 222—An act declaring a certain public highway extending from Clements in San Joaquin County to Ione in Amador County to be a State highway and providing for the construction of the same.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Amend subdivision 2 of section 4 on page three (3), line 27, of the printed bill, by adding, after the word "taken", the following: "nor in any event make a loan to any member in excess of two thousand dollars (\$2,000.00)".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 634—An act to amend section 11 of an act entitled "An act creating a State Bureau of Criminal Identification and investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to salaries of the superintendent and employees of Bureau of Criminal Identification.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article III, embracing sections 372 to 372c, relative to a Department of Health.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 4 and 5 and insert in lieu thereof the following: "three hundred seventy-two g, relative to a department of public health".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the letter "c" following the figure "372" and insert in lieu thereof the letter "g".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out all of said line 11 and insert in lieu thereof the following: "of a state board of public health, which board is hereby created, to be composed of seven".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, of the printed bill, strike out lines 13 to 22, inclusive, and insert in lieu thereof the following: "and holding office as hereinafter prescribed, and six members, each appointed by the governor for the term of four years. The director and each of the other members of the board shall be duly licensed and practicing physicians of this state. A duly licensed and practicing physician within the meaning of this article shall be a physician who has received a degree of doctor of medicine from a medical college approved by the state board of medical examiners and is the holder of an unrevoked certificate issued by said board. Each of the members, other

than the director of public health, shall receive his actual necessary traveling expenses incurred in the discharge of his duties. The director of public health shall be executive officer of the board."

### Amendment adopted.

#### AMENDMENT NUMBER FIVE.

On page 1, line 25, of the printed bill, strike out the word "five" and insert in lieu thereof the word "six".

### Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 14 to 18, inclusive, and insert in lieu thereof the following: "For the purpose of administration, the department shall be forthwith organized by the state board of public health with the approval of the governor in such manner as it shall deem necessary to properly segregate and conduct the work of the department. Subject to the approval of the governor, the state board of public health may create such divisions and subdivisions as may be necessary and may consolidate, divide, or abolish the same from time to time. The director of public health, subject to the approval of the board, and except as otherwise provided by law, shall have power to appoint such assistants, deputies, agents, experts and other employees as may be necessary for the administration of the".

### Amendment adopted.

#### AMENDMENT NUMBER SEVEN.

On page 2, line 25, of the printed bill, strike out all of line 25 and insert in lieu thereof the following: "neither the state board of public health nor the director shall have authority on the".

### Amendment adopted.

#### AMENDMENT NUMBER EIGHT.

On page 2, line 43, of the printed bill, strike out the words "industrial relations" and insert in lieu thereof the words "public health".

### Amendment adopted.

#### AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out lines 46 to 52, inclusive, and insert in lieu thereof the following:

372d. The state board of health heretofore established by law and each of the bureaus, offices, departments, divisions and subdivisions and the positions of all deputies, officers and employees thereunder are hereby abolished and shall have no further legal existence, but the statutes and laws under which they existed and all laws prescribing their duties, powers, purposes, responsibilities and jurisdiction, with all lawful rules and regulations to be established thereunder, are hereby expressly continued in force.

372e. The department of public health hereby established shall succeed to and is hereby invested with all of the duties, powers, purposes, responsibilities and jurisdiction of the state board of health heretofore established and each of the bureaus, offices, departments, divisions and subdivisions of or under said state board of health and of the several officers, deputies and employees of such bodies and offices; and, whenever by the provisions of any statute or law now in force or that may hereafter be enacted a duty is imposed or authority conferred upon any of said bodies, offices or officers, such duty and authority are hereby imposed and conferred upon the department of public health and the appropriate officers thereof with the same force and effect as though the title of said department of public health had been specifically set forth and named therein in lieu of the name of any such board, bureau, office, department, division, subdivision or other body, office or officer, as the case may be. The department of public health shall also succeed to and be in control of all records, books, offices, equipment, supplies, moneys, funds, appropriations, land and other property, real or personal, now or hereafter held for the benefit or use of said bodies, offices and officers.

372f. From and after the date upon which this act takes effect, the department of public health shall be and is hereby authorized and empowered to expend the moneys in any appropriation or in any special fund in the state treasury now remaining or made available by law for the administration of the provisions of all the statutes, the administration of which is committed to the department or for the use, support or maintenance of any board, bureau, office, department, division, subdivision or other body, office or officer whose duties, powers and functions are by the provisions of this article transferred to and conferred upon the department of



public health. Such expenditures by the department shall be made in accordance with law in carrying on the work for which such appropriations were made or such special funds created.

372*g*. The terms of the members of the state board of public health, other than the director, first appointed shall be so classified by the governor that the term of one member shall expire one year from and after the date upon which this act takes effect, the terms of two members in two years, the term of one member in three years and the terms of two members in four years. Thereafter, the term of each of such members shall be four years. The appointee to a vacancy occurring before the expiration of a term shall hold office only for the unexpired term of his predecessor.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II*h*, embracing sections 367 to 367*g*, relating to a Department of Social Welfare.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 7, strike out the words "of seven members, consisting".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

Strike out all of lines 17 and 18 in the printed bill, and insert in lieu thereof the following: "The director of social welfare shall be appointed by and hold office at the pleasure of the governor and shall receive the salary of four thousand dollars per year. The director shall be chairman and executive officer of the board."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2 of the printed bill, in line 37, strike out the words "and children's agents".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, in line 39, following the word "offices" strike out the "," and insert in lieu thereof the following "and of the children's agents of the state board of control;"

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, in line 10, strike out the words "or to mothers' pensions," and insert in lieu thereof the following "or to aid for needy children,".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 3 of the printed bill, in line 25, following the word "welfare," insert the word "or".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, in lines 26 and 27, strike out the words "or children's agents."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, in line 39, following the word "welfare," insert the word "or."

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 3 of the printed bill, following the word "welfare" in line 40, insert a "." and strike out the words "or the children's agents."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## REQUESTS FOR INTRODUCTION OF BILLS.

The following requests for permission to introduce bills were presented:

By Senator Ingram:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the willful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of act inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Request referred to Committee on Rules.

By Senator Hurley:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the fish and game commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921, and May 23, 1925.

Request referred to Committee on Rules.

By Senator Boggs:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts.

Request referred to Committee on Rules.

Also:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America.

Request referred to Committee on Rules.

## PRESENTATION OF DECISION OF ATTORNEY GENERAL.

The following decision of Attorney General was presented, and ordered printed in the Journal:

By Senator Inman:

STATE OF CALIFORNIA, OFFICE OF ATTORNEY GENERAL.  
SACRAMENTO, CALIFORNIA, March 2, 1927.

*Hon. J. M. Inman,  
Chairman of Subcommittee,  
Sacramento, California.*

MY DEAR SIR: Heretofore you addressed this office as follows:

"As a subcommittee of one of the committees investigating the water situation, I have been directed to call your attention to a resolution which was passed by the committee substantially as follows:

"That the Attorney General be directed to investigate the contract between the said Board of Prison Directors, et al., and American River Hydro-Electric Company, et al., dated the fourth day of September, 1926, with particular reference to its application to Assembly Bill 1206, 1925 session, being chapter No. 65, together with any and all circumstances surrounding the same, and that if in your opinion after such investigation and consideration of said contract you find for any reason it is void or questionable as to legality, an action be instituted by your office to set the same aside."

"I might say for your information that a copy of said contract may be found in the office of State Board of Control or State Treasurer."

Since the receipt of this communication the subject presented has been given consideration, but I have not made any examination of the facts or circumstances preceding the passage and approval of the act in question, nor have I considered at all the negotiations preceding the actual entry into the contract to which your letter refers.

The act in question is as follows:

"An act authorizing the State Board of Prison Directors to enter into a contract for the improvement and extension of the system for the supplying of water and electricity to the State Prison at Folsom without cost to the State.

"The people of the State of California do enact as follows:

"Section 1. The State Board of Prison Directors is hereby authorized to enter into a contract with a private corporation, firm or individual for the alteration without cost to the State of the existing power plant in the prison yard of the State Prison at Folsom for the betterment and increase of its electrical output, and for such an additional water supply from the American River as may be adequate for irrigation and domestic use by the prison. The Board of Prison Directors is authorized for this purpose to grant to a private corporation, firm or individual, for a proper consideration, the necessary lands, easements, rights of way, flowage rights and other appurtenances necessary to the economical supplying of water and electricity to the State Prison at Folsom."

It will be noted that the subject expressed in the title is the authorization of a contract by the prison board for the improvement and extension of the water and electric supply system at Folsom State Prison without cost to the State. Two distinct limitations are by this title placed upon the powers of the board. One confines the contract to the improvement and extension of the system for supplying water and electricity to said prison, and the other requires that any such contract shall be without cost to the State. Within these general purposes, but also subject to those limitations, it would be proper for the body of the act to specify with more particularity the manner in which and the means by which such object is to be accomplished, that object being the improvement and extension of the prison water and electric supply system without cost to the State and to be attained through the performance of a contract entered into by the board having that objective point as its aim. Beyond that the body of the act cannot go and any additional subject expressed in the body of the act must be held void. Under no circumstances can the body of the act serve, or be construed, to enlarge the scope of the title. On the contrary, anything done under the body of the act can find its legal support only when that thing falls within what might be done under a fair and liberal construction of the single subject expressed in the title. The purpose of the constitutional provision dealing with titles to acts is to protect the members of the Legislature as well as the public against fraud from deceitful and misleading titles.

Ex parte Liddell, 93 Cal. 633;

Abel vs. Clark, 84 Cal. 226.

It is not enough that the title contains words which would put a reader on notice of the body of the act. It must contain full authorization within itself. Thus where a title contained the words "and for other purposes" it was held not to validate provisions in the body of the act which were not germane to those specified in the title.

Spier vs. Baker, 120 Cal. 370.



While the title contains authority to contract, such contract is to be without cost to the State. The man of average mind reading such title does not conceive of a contract as based upon a valuable consideration, but thinks of the term only as meaning an agreement, and he is certainly confirmed in this thought when he reads further that it is to be without cost to the State. Surely this title is misleading if the thought that the action of the board is to be without cost to the State is to be overridden by the thought that the object is to be attained by a contract which implies the parting with consideration by the State.

Turning now to the body of the act, we observe that it consists of one section, divided into two sentences.

The first sentence contains an authorization to the board to enter into a contract with a private corporation, firm or individual, (1) for the alteration, without cost to the State, of the existing power plant in the prison yard for the betterment and increase of its electrical output, and (2) for such an additional water supply from the American River as may be adequate for irrigation and domestic use by the prison. While the phrase "without cost to the State" is not in express terms repeated as to the water supply and would not be applicable thereto if the sentence stood by itself, yet it would appear permissible at this point, knowing that the body of the act can not go beyond the title and must be subordinate thereto, to hold that the procurement of the additional water supply must also be without cost to the State. I think there can be no question but that a contract "for the alteration \* \* \* of the existing power plant" is included in the power to contract "for the improvement and extension of the system for the supplying of \* \* \* electricity," and likewise a contract "for such additional water supply from the American River as may be adequate for irrigation and domestic use by the prison" is embraced in the power to contract "for the improvement and extension of the system for the supplying of water \* \* \* to the State Prison at Folsom." Thus all provisions of the first sentence are embraced in the title.

The second sentence purports to confer additional authority upon the board in an asserted furtherance of the purposes expressed in the first sentence, and it is this additional authority thus sought to be conferred which in my opinion goes beyond the purview of the title and is in direct conflict therewith and invalid.

The additional authority so sought to be conferred on the board is "to grant to a private corporation, firm or individual, for a proper consideration, the necessary lands, easements, rights of way, flowage rights and other appurtenances necessary to the economical supplying of water and electricity to the State Prison at Folsom."

One of the two limitations, and unquestionably the principal one, noted in the title and borne out in the first sentence of the body of the act, is that the attainment of the object of the contract is to be without cost to the State. Of course every contract must be founded upon a valuable consideration, but it does not follow that the consideration must necessarily move from each of the contracting parties. One party to a contract may be entitled to performance of obligations by the other and the right to such performance may come from benefits conferred upon that other without such benefits being at the cost or expense, in money or property, of the one entitled to performance. True there may be in a contract for supplying one with electricity or water the grant by that one of the use of his land for the purpose of erecting thereon poles and wires or laying pipes therein, which facilities may continue to be the property of the one supplying the service and by means of which the service may be carried to others than the owner of the land, without any cost to such owner other than the mere incidental use of his land. But it is a far different thing when the one to whom such service is supplied pays directly, either with money or property, in consideration for such service. In no sense can such service be said to be without cost to the one supplied therewith. It is therefore not in furtherance of the thought that the attainment of the object of the contract shall be without cost to the State when the contract, or the performance thereof, is obtained only as a result of a grant in fee of the property of the State, and so too regardless of whether such grant is for a monetary consideration, proper or otherwise, in addition to the service contracted for.

The very fact that private parties would find in the rights secured by them through such contract sufficient justification for paying the entire consideration mentioned in the contract for the conveyance of the lands of the State evidences the fact that there lies in those lands so conveyed a value commensurate with the monetary consideration to be paid. In this very fact the State is parting with value, and incurring cost, in securing the improvement and extension of the system for supplying water and electricity to the prison.

It may be conceded that under this title there is contemplated such use of State property as would be appropriate toward the improvement and extension of the existing system for supplying water and electricity to the State prison. No one, however, reading this title would surmise that any contract entered into thereunder would, or that it was intended that it should, authorize the Board of Prison Directors to grant or convey for any consideration lands or other property of the State.

No private individual who had delegated to an agent authority to enter into a contract for the lighting of his grounds or to supply him with additional water

facilities would concede that he had thereby empowered that agent to grant away for a consideration part of his lands.

The provision in the second sentence authorizing the grant of lands is therefore not in furtherance but in direct contradiction of the limitation of the title.

I well know that the title to an act does not have to be a synopsis or compendium of the matter contained in the body of the act, but that it is sufficient if it fairly states the object and purposes which might be included under that title within the body of the act and which would be appropriate for the accomplishment of the general purposes stated in the title. I am also aware that the courts have shown a tendency toward leniency in the interpretation of titles to acts but I cannot bring myself to believe that a court could fairly construe the second sentence of this act to be within the purview of the title. If the second sentence is within the title of this act then the Board of Prison Directors would have the power to make such contract without that second sentence because it would then be fairly implied within the title and the first sentence of the act. If such is the case then the people are in truth at the mercy of any board or officer to whom a power is given to enter into a contract to obtain a service of the character mentioned in the title. In that event such board or officer would have the power to deed away state lands, though the subject of such conveyance, or the thought thereof, might be far from the minds of the Legislature or of the people vesting such power of contract in the officers in question.

By the contract in question, dated September 4, 1926, the State Board of Prison Directors as party of the first part in consideration of the sum of \$150,000, to be paid as hereinafter provided, and the agreements and promises therein contained, agrees to sell, transfer and convey to the American River Hydro-Electric Company, as party of the second part, upon the terms and conditions hereinafter specified, certain real property hereinafter described, containing in all 560 acres of land more or less (this land being part of the lands belonging to the State at Folsom and now under jurisdiction of the prison board), together with the appurtenances but excepting all existing riparian water rights belonging to the first party, it being further agreed that all water rights of any character, riparian or otherwise, inherent in the State by virtue of its ownership of said lands, are expressly reserved to the State and are not included in any sale or transfer of said lands hereunder.

It is stated in the contract that in consideration of the premises and of such agreement to sell, transfer and convey, the second party agrees to purchase said property and pay said first party therefor, in addition to the other considerations therein provided for, the sum of \$150,000 as hereinafter specified. It is then stated in the contract that in further consideration of such agreement to sell, transfer and convey said second party agrees to furnish said first party perpetually and free of all cost and expense to said first party, from and after the date of the completion of the dam hereinafter mentioned, such amount of water from the American River as shall be necessary for domestic and other uses of the State Prison at Folsom, together with the water necessary for the proper irrigation of the real property belonging to said State prison, and also, within one year from the date construction work on said dam is commenced, at the central switchboard in its present power house at Folsom State Prison, the maximum amount of electric energy capable of being generated by the remodeled prison power plant hereinafter referred to and within three years from the commencement of such construction work, at said central switchboard, an amount of electrical energy sufficient to operate continuously a connected load up to 900 horsepower for use upon the property of said first party. The contract further permits the second party the use of the present power drop and power house.

The contract then provides that in further consideration of said agreement to sell, transfer and convey said second party agrees to construct a dam across the American River sufficient to impound 300,000 acre feet of water, observing certain conditions hereinafter stated. The contract contains other features, not necessary to here note, but all looking to the service to be rendered by said second party and the reservation by the State of the control of flood waters, but providing also for the sale to the general public by said second party of the waters impounded.

While the contract contains many other provisions I shall not attempt to summarize the same. I have noted some of the principal provisions which I believe sufficiently show that in this contract the State is not obtaining without cost to itself that which it was the intent of the title of the act that it should obtain. On the contrary the entire contract clearly shows that the improvements sought by the title to be secured to the State without cost are to be obtained only upon the condition that the State part with the title to 560 acres of land. While it is true that the State receives \$150,000 that sum is paid not only for the lands but also for all other rights obtained by the second party under the contract and surely the contract would not have been made if the lands were not to be obtained from the State.

It is my view that the second sentence is not within the title and in fact is in direct conflict with the express limitation in the title. For that reason any contract seeking to carry out the provisions of the second sentence is to that extent void.

Should an attempt be made by the parties to carry out this contract the consequences resulting therefrom are far more serious to the American Hydro-Electric Company than to the State, for those dealing with the agents of the State are charged with the knowledge of and are bound at their peril to ascertain the extent of the power of such agents and if the authority of the State agent is exceeded the State is not bound thereby and the question of the excess of such authority can be raised at any time.

If it be the desire of the Legislature and of the parties to this contract that a valid contract of the character here involved be executed, the accomplishment of such purpose, it occurs to me, may yet be achieved. The Legislature is in session and it is conceivable that if such be the desire that an act authorizing the State Board of Prison Directors to do that which it is attempted here to do without authority be passed.

The contract provides that there shall be paid to the State Board of Prison Directors on or before March 4, 1927, as the purchase price of this land, the sum of \$150,000, but the act not having authorized the sale of this land, it will be the duty of the State Board of Prison Directors, if and when such tender is made, to refuse its acceptance.

The resolution of your committee suggests the commencement of such suit as may be necessary to protect the interests of the State. I do not conceive that the commencement of any suit at this time is requisite. All that can be accomplished by suit will be accomplished by the refusal of the Board of Prison Directors to accept the payment referred to.

Very truly yours,

U. S. WEBB, Attorney General.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 489—An act to add three new sections to the Political Code, to be numbered 3664aa, 3670bb and 3670cc, relating to taxation of highway transportation companies for State purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

#### CASE OF URGENCY.

The following resolution was offered:

By Senator Nelson:

*Resolved*, That Assembly Bill No. 489 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, and Young—35.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 489.



SECOND READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED EIGHTY-NINE.

Assembly Bill No. 489—An act to add three new sections to the Political Code, to be numbered 3664aa, 3670bb and 3670cc, relating to taxation of highway transportation companies for State purposes.

URGENCY CLAUSE.

This act, inasmuch as it provides for a tax levy, shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and Young—36.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 489 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 962—An act making an appropriation to meet a deficiency in the appropriation for support of Folsom Prison for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 963—An act making an appropriation to meet a deficiency in the appropriation for support, San Quentin Prison, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 964—An act making an appropriation to meet a deficiency in the appropriation for salaries, San Quentin Prison, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 965—An act making an appropriation to meet a deficiency in the appropriation for salaries of the Railroad Commission for the seventy-seventh and seventy-eighth fiscal years;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

INMAN, Chairman.

CASES OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

The message from the Governor recommending the passage of Assembly Bills Nos. 962, 963, 964, and 965 as required by section 34 of article IV of the constitution was received on February 25 and recorded in the Senate Journal of that date.

## RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 962 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and Young—36.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 962.

## SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-TWO.

Assembly Bill No. 962—An act making an appropriation to meet a deficiency in the appropriation for support of Folsom Prison for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

## URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—38.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 962 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—38.

NOES—None.

Title read and approved.

Assembly Bill No. 962 ordered transmitted to the Assembly.

## RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 963 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—38.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 963.

## SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-THREE.

Assembly Bill No. 963—An act making an appropriation to meet a deficiency in the appropriation for support, San Quentin Prison, for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

## URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 963 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—33.

NOES—None.

Title read and approved.

Assembly Bill No. 963 ordered transmitted to the Assembly.



## RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 964 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 964.

## SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-FOUR.

Assembly Bill No. 964—An act making an appropriation to meet a deficiency in the appropriation for salaries, San Quentin Prison, for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

## URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—35.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 964 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—35.

NOES—None.

Title read and approved.

Assembly Bill No. 964 ordered transmitted to the Assembly.

## RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 965 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—36.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 965.

## SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-FIVE.

Assembly Bill No. 965—An act making an appropriation to meet a deficiency in the appropriation for salaries of the Railroad Commission for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

## URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—35.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 965 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—38.

NOES—None.

Title read and approved.

Assembly Bill No. 965 ordered transmitted to the Assembly.

## CONSIDERATION OF DAILY FILE.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 73 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 665—An act to amend section 2322.42 of the Political Code, relating to salaries of horticultural commissioner in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 665 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, excepting certain counties from the provisions thereof.

On motion of Senator Allen, J. M., Senate Bill No. 242 was passed on file.



Senate Bill No. 320—An act providing for the distribution of any money appropriated by the State of California for the encouragement of county and district fairs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 320 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlain, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tabbs, Wagy, Weller, and Young 37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 427—An act to authorize the Governor to appoint a commission to prepare the plans and to select the site for a separate penal institution for women offenders—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

PEDROTTI, Chairman.

Senate Bill No. 427 re-referred to Committee on Finance.

##### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 636—An act to amend sections 36, 46, 50, 51, 72, 153 and 157 of and to add five new sections to be numbered 16a, 28a, 28b, 28c and 28d to the "California Vehicle Act," approved May 30, 1923, requiring owners of motor vehicles, trailers and semitrailers, other than the United States of America, the State of California, and any political subdivision thereof, to furnish security for the civil liability of such owners and of all persons expressly or impliedly permitted by them to operate, maintain, control or use a motor vehicle, trailer or semitrailer upon the highways, for personal injuries and property damage caused by such motor vehicles, trailers and semitrailers—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Insurance.

Committee membership—14; committee vote: Ayes—14.

JONES, H. C., Chairman.

Senate Bill No. 636 re-referred to Committee on Insurance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 650—An act to amend section 2872 of the Political Code, relating to toll-bridges;

Also: Senate Bill No. 820—An act to amend section 1387 of the Code of Civil Procedure, relating to executors and administrators;

Also: Senate Bill No. 821—An act to repeal section 1756 of the Code of Civil Procedure, relating to letters of guardianship;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—14.

JONES, H. C., Chairman.

Senate Bills Nos. 650, 820, and 821 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 137—An act to amend section 4300g of the Political Code, relating to witness fees:

Also: Senate Bill No. 238—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses;

Also: Senate Bill No. 240—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents;

Also: Senate Bill No. 472—An act to amend section 1163 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

Also: Senate Bill No. 473—An act to amend section 113 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—14.

JONES, H. C., Chairman.

Senate Bills Nos. 137, 238, 240, 472, and 473 ordered on file for second reading.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—

(OUT OF ORDER).

The following resolutions were offered:

By Senator Hurley: Senate Joint Resolution No. 10—Relating to the immigration policy of the United States.

Referred to Committee on Federal Relations.

By Senator Young: Senate Concurrent Resolution No. 20—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a commission to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters.

Referred to Committee on Public Health and Quarantine.

#### ADJOURNMENT.

At twelve o'clock and three minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Friday, March 4, 1927.

#### IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Friday, March 4, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—39.

Quorum present.

## PRAYER.

Prayer was offered by Rev. A. Watson Brown of Sacramento.

## READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 3, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to David W. Miller, member of the California Legislature during forty-third session, and Mr. J. Huart Moore, prominent dairyman of San Joaquin County, California.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Louis Bartlett of Berkeley, California.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. James Otis of Lincoln, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. F. Fray, city attorney of Martinez, California, and R. R. Veal, sheriff of Contra Costa County.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to former State Senator James B. Holohan.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to former State Senator Frank J. Carr.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

The following resolution was passed at a meeting of the directors of the Orange Community Chamber of Commerce, held on Monday, February 21, 1927:

WHEREAS, Senate Bill No. 213 has for its purpose the regulation of the number of cars in trains, and

WHEREAS, Said bill very greatly limits the number of cars that can be hauled and now are being in one train, and

WHEREAS, The present powerful locomotives, heavy rails, and well ballasted tracks, together with other modern equipment, all make for safer handling of longer and heavier trains than are permitted in said Senate Bill No. 213, and

WHEREAS, The fruit and vegetable shipments from California require very prompt handling in order to accomplish their seasonable arrival at distribution markets, and such arrival would frequently be delayed through the running of a greatly increased number of trains; now, therefore, be it

Resolved, That we do hereby protest the passage of Senate Bill No. 213, and do request our Senator and Assemblyman to use their best efforts toward the defeat of said measure.



I, V. D. Johnson, Secretary of Orange Community Chamber of Commerce, do hereby certify that the above resolution was passed upon the date mentioned.

V. D. JOHNSON.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 966—An act making an appropriation to meet a deficiency in the appropriation for support, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 967—An act making an appropriation to meet a deficiency in the appropriation for salaries, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 968—An act making an appropriation to meet a deficiency in the appropriation for printing, binding and all other work performed and materials furnished by the Division of Printing of the Department of Finance to the Legislature for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 969—An act making an appropriation to meet a deficiency in the appropriation for compensation benefits, state officers and employees, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 196—An act to amend section 1810½ of the Code of Civil Procedure, relating to attorney's fees against minors fixed by court and payment of judgments in actions by or on behalf of minors;

Also: Assembly Bill No. 520—An act to amend section 1207 of the Civil Code, providing for the effect of defectively acknowledged and recorded instruments;

Also: Assembly Bill No. 521—An act to amend section 1263 of the Civil Code, providing what the declaration of homestead of the head of a family must contain;

Also: Assembly Bill No. 522—An act to amend section 1267 of the Civil Code, providing what the declaration of homestead of a person other than the head of a family must contain.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 966, 967, 968, and 969 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 196, 520, 521, and 522 read first time, and referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 57 thereof, relating to the compensation of directors and other officers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 316 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 28—An act to amend section 46 of the "California Irrigation District Act," approved March 31, 1897, relating to the entry of the record of assessment sales and the addition of penalties to assessments upon redemption—has had the same under consideration, and respectfully reports the same back with amendments, and recommends it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 28 ordered on file for second reading.

## ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to be numbered 14½ to article XIII of said constitution, relating to the taxation of foreign insurance corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; noes—1; not voting—1.  
ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 3 ordered on file.

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of a Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State Commissioner thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—14; committee vote: Ayes—14.

JONES, H. C., Chairman.

Senate Bill No. 239 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 77—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment;

Also: Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors;

Also: Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the licensing of real estate brokers and salesmen;

Also: Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation;

Also: Senate Bill No. 575—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes 14.

JONES, H. C., Chairman.

Senate Bills Nos. 77, 173, 241, 294 and 575 ordered on file for second reading.

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 468—An act to amend section 2322x24 of the Political Code, relating to the office of the horticultural commissioners in counties of the twenty-fourth class—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 633—An act to amend section 649 of the Civil Code and to add certain new sections to be known as sections 649a, 651a, 651b, 651c and 651d, relating to the incorporation of colleges and seminaries of learning;

Also: Senate Bill No. 30—An act to provide that a certain highway in Santa Cruz County shall become a State highway on approval of such highway by the California Highway Commission;

Also: Senate Bill No. 196—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County;

Also: Senate Bill No. 215—An act to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to assessment;

Also: Senate Bill No. 222—An act declaring a certain public highway extending from Clements in San Joaquin County to Ione in Amador County to be a State highway and providing for the construction of the same;

Also: Senate Bill No. 634—An act to amend section 11 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to salaries of the superintendent and employees of Bureau of Criminal Identification;

Also: Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIIh, embracing sections 367 to 367g, relating to a Department of Social Welfare;

Also: Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis Law" of California; to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### REPORT OF JOINT COMMITTEE.

The following report of the Joint Committee under Assembly Concurrent Resolution No. 16, pertaining to the water resources of California, was received and ordered printed in the Journal:

#### REPORT OF THE JOINT COMMITTEE OF THE SENATE AND ASSEMBLY FOR AN INTENSIVE STUDY OF THE WATER RESOURCES OF CALIFORNIA AND THE STATE ENGINEER'S COORDINATED PLAN FOR THEIR DEVELOPMENT.

J. C. GARRISON, Chairman.  
FRANK S. BOGGS,  
J. M. INMAN,  
HERBERT C. JONES,

Senate Members.  
E. G. ADAMS, Secretary.  
VAN BERNARD,  
B. S. CRITTENDEN,  
F. W. MIXTER,

Assembly Members.

Authority: Assembly Concurrent Resolution No. 16.

To the Senate and Assembly of the State of California.

The joint committee of the Senate and Assembly appointed pursuant to Assembly Concurrent Resolution No. 16 respectfully submits its report and recommendations. By the resolution authorizing this committee, the committee was directed

"to make a further study of the records of the State Engineer, pertaining to the subject of this resolution and to report its findings and submit its recommendations to this Legislature at the forty-seventh session thereof not later than the first week in March, 1927."



The committee immediately upon commencing its work became impressed with the magnitude of the project contemplated and the momentous consequences to follow any decision of the Legislature.

The development of the water resources of the State constitute incomparably the most gigantic and far-reaching problem in the field of material development today confronting California. Here is involved the last great natural resource of the State. The project, if and when completed, is estimated to cost an enormous sum of money. Its 262 contemplated reservoirs, with a capacity of 50,000,000 acre-feet of water, bringing into production 1,500,000 acres of new land, will create new agricultural values, furnish a new supply of water for domestic purposes, a new source of power for industry and household uses, will control floods, check salt water inundation, possibly revive hydraulic mining—in a word, it will affect the daily life of every person within the confines of our State. Here is a priceless heritage that must be kept under the control of the State, for it is a fact well established by history that the agency which controls the natural resources of any state or nation controls the destiny of its people.

The State government has for many years recognized the importance of the conservation of the State's water resources. A new chapter was begun six years ago in the State's attention to the water problem when in 1921 the Legislature appropriated \$200,000 with which the State Engineer should make a comprehensive investigation of the water resources of the State. State-wide recognition of the importance of this work was given in 1923, when the Chambers of Commerce of San Francisco and Los Angeles advanced \$90,000 for the study of a first unit of a comprehensive plan that would relieve the stress in a section of the state most in need of an imported water supply. The Legislature of 1925 repaid this money and appropriated \$150,000 additional for the completion of the investigation. A total of \$440,000 has been expended by the State during the six years. A mass of invaluable engineering data has been gathered, and a coordinated plan of development proposed in which the State is under no moral obligation by having received financial assistance from any special interest.

#### THREE MAJOR PROBLEMS.

In taking up its study, your committee immediately recognized that the problem consisted of three major phases: engineering, legal and financial. These three different phases will be taken up and discussed separately.

#### ENGINEERING.

Immediately after organizing, your committee called a public hearing to be held in the Senate Chamber, January 26th and 27th. At this hearing State Engineer Bailey and his assistants were present with maps and data. The coordinated plan was explained more in detail than shown in Bulletin No. 12. The plan has been denominated a "Coordinated Plan," for the reason that it coordinates irrigation, power development, flood control, hydraulic mining, salt water control and navigation. Representatives of irrigation and water interests from all over the State were present, including those whose interests are affected by the salt water menace at the junction of the Sacramento and San Joaquin rivers. A keen interest was apparent throughout the hearings. In addition to his able presentation of the plan, State Engineer Bailey answered readily and clearly innumerable questions from the committee and from the floor. A complete transcript of the hearings has been made and is now on file with the chairman of the committee. Chief Engineer Barton of the State Reclamation Board was present and at the request of the committee submitted a report as to the value of the coordinated plan in the matter of flood control. The conclusion or summary of his report is attached hereto and marked Exhibit "A".

#### CONCLUSIONS.

1. That the coordinated plan, while it is endorsed by many eminent engineers, is of such huge magnitude that it would take months of intensive study and public hearings before your committee would feel justified in making a recommendation as to its practicability upon which the Legislature could take any action.

2. If attempted, construction should proceed progressively upon a unit basis which should be worked out in harmony with existing and future local projects.

3. Adequate legislative machinery must be provided for the execution and operation of the plan, if adopted.

#### LLEGAL.

Immediately upon beginning its hearings it became apparent to your committee that the execution of the coordinated plan would bring it in direct conflict with a most serious legal obstacle—the rights of riparian owners along the streams involved. Your committee felt that it could do no greater service to the State as a whole than to seek relief from the doctrine of wasteful riparian rights, a doctrine set forth in the recent decision of the Supreme Court of California in the *Herminghaus* case and substantiated by a long line of court decisions. This doctrine, we believe, if carried out without limit, would not only make the accomplishment of the coordinated plan practically impossible, but would endanger the rights of thousands of California's citizens whose very existence depends upon appropriated water rights.

Realizing the seriousness of this situation, your committee appointed a subcommittee to meet with legal authorities upon water rights, Supreme Court and appellate court justices, judges of our trial courts, and legal representatives of all different interests affected.

The subcommittee made its report to this committee on February 9th, a copy of the subcommittee's report being appended hereto and marked Exhibit "B."

Public hearings were held in the Senate Chamber on February 15th, 16th and 17th, for the consideration of this legal problem. At these hearings the general public was invited and participated in the discussions. Representatives of the various interests affected expressed themselves in support of and in opposition to the suggestions set forth in the subcommittee's report.

As a result of the three days' hearings of this legal problem, one proposition stood out amidst all the discussions, namely: that private property in water rights can not be taken without compensation. However much it might be wished that the law were otherwise in respect to the riparian doctrine, we must face it as it is. The one thing, therefore, upon which there was a unanimous conviction on the part of the committee, was that legal machinery should be set up for expeditiously acquiring, by condemnation, the private property in water rights necessary for the consummation of the coordinated plan.

In connection with the legal aspects of this problem, your committee wishes to call attention to Assembly Bill No. 1206, of the 1925 session, under which there was sold to private parties the Folsom Reservoir site on the American River, a site constituting an important unit of the coordinated plan. The committee felt that in view of the possibility of the adoption of the coordinated plan that the Folsom site should not have been permitted to pass from State ownership. From the hearings it appeared that the present plans of the private owners are not in harmony with the coordinated plan, at least in the matter of flood control, and that the contemplated construction by the private owners affords no dependable protection to North Sacramento against floods.

The committee found that doubt exists both as to the legality of the contract of purchase in possibly exceeding the authority given under Bill No. 1206, and also as to the legality of the bill itself because of the doubt as to whether the title properly sets forth the purpose of the bill. For these reasons the committee unanimously passed a resolution asking the Attorney General to investigate the entire matter of the legality of the sale of the Folsom site.

A transcript of the hearings before the committee on the legal aspects of the coordinated plan has also been made and is on file with the chairman of the committee.

#### CONCLUSIONS.

(1) That a State Water Commission should be created, vested with jurisdiction to investigate, hear and determine claims to the use of water, to hear and determine proceedings in eminent domain for the taking of water for public use, and regulation of the distribution thereof, and to fix the just compensation to be paid for the taking of such water.

(2) In view of the possibility of the adoption and execution by the State of California of the coordinated plan, this committee feels that the State of California should at once take the necessary steps, either through its proper officials or by legislation, to file on, or withdraw from filing by private parties, the water rights to be utilized and required for the consummation of the co-ordinated plan.

#### FINANCIAL.

The financing of the co-ordinated plan is such a stupendous task that your committee has been unable, in the few weeks we have had to consider this problem, to enter into this phase of the matter except in a very general way. The benefits to be obtained from this development are so many and varied, the effect upon the economic structure of our basic industry of agriculture so far reaching, that a plan which is economically sound can only be worked out after long and painstaking study.

The irrigation projects of our State which have gone ahead, pioneered the principle of irrigation, and built up an adequate water supply of their own, cannot be expected to consent to an increase of their already too heavy tax burden except as it would directly benefit them or the State as a whole. Likewise, lands so located that nature has failed to make a sufficient supply of water available or has provided an excess of water creating a flood hazard cannot be expected to bear the entire burden of correcting nature's mistake. Navigation, flood control, salt water encroachment, and control of mining debris, all are matters in which the Federal, as well as the State, government is interested to a very appreciable degree.

The bringing of additional arid land into production by irrigation and into competition with the lands now under production and suffering from an appalling agricultural depression due to over-production, faulty distribution, or both, must be handled in a way which will not wreck the economic structure of the whole State. However, long prior to the consummation of the co-ordinated plan, there is every indication that the demand for agricultural products, both within this State and throughout the nation, will be such as to absorb every bit of California's agricultural production. The present rate of increase of California's population, and the growth that must come with the industrial and manufacturing expansion of the future will,

beyond question, create new demands and markets for the products of the soil that will overtake the State's ability to produce. The present depression and overproduction will have passed long before a consummation of the co-ordinated plan.

No present or contemplated project can be expected to release its present water supply or any part of it unless the supply offered in exchange is equally as economical and dependable.

The entire project for the co-ordinated plan depends in its final analysis upon the practical question of whether the benefits received will justify the outlay required. In order to justify itself, and merit the endorsement of the State, the Legislature should be convinced that the benefits outweigh the enormous cost. This involves the whole financial and economic aspect of the project. It presents also the question of what agencies shall contribute financially to the cost—what proportion the Federal government will be willing to pay in the interest of navigation, flood control and possibly irrigation, what proportion the State of California will be willing to pay in the interests of increased prosperity of all its people, what proportion specific interests should pay—irrigationists, power consumers, domestic water, hydraulic mining and saline control.

This financial-economic aspect presents a problem so vast that we feel it can not be solved except by long continued, careful study and investigation. The State Engineer, in Bulletin No. 12, says:

"So extensive is the area, so many and varied are the interests, and so great are the expenditures involved in this plan that the usual method of procedure is impracticable. The economic, financial, legal and political problems relating to its execution are so complex and far reaching that they should be the subject of careful deliberation. The broad values and public advantages of the plan should be weighed with the costs and difficulties. Methods of execution, of operation and of financing should be considered along with the extent to which costs should be distributed."

The engineer then states that in view of the intricate nature of these problems and their momentous bearing on the future of California, that there should be a thorough investigation for the purpose of determining:

First—The practicability of carrying out the co-ordinated plan;

Second—If found to be practical, the recommendation of a method of procedure. With the State Engineer's recommendation that there be this thorough investigation, your committee is in accord.

#### GENERAL CONCLUSIONS AND RECOMMENDATIONS.

In this brief report your committee has endeavored to give to your honorable body in as few words as possible a general perspective of the entire situation as we find it, and to recommend, after serious study, what we consider to be a sound method of procedure. Your committee feels very definitely that this is a matter in which, urgent as some of the needs are, the only safe policy is to make haste slowly. Any policy or plan precipitated without the most painstaking consideration is sure to result in disaster. No loss of time will result in this investigation as it will take approximately two years for the adoption by the people of the necessary change in the constitution to permit the undertaking of the co-ordinated plan.

Such investigation, as a result of which the State may be asked to undertake a project of such magnitude, and which the Legislature may be requested to approve, should be made by a committee of State officials, elected by and answerable to, the people of the State.

#### I.

That a legislative committee of four members of the Assembly and four members of the Senate be appointed as a permanent committee during the next two years, to continue this intensive study, to confer with the proper federal authorities, and to hold hearings of all those concerned in the development or use of the water resources of the State, with a view to making a final report to the forty-eighth session of the Legislature. That said committee be authorized to hold public hearings in any part of the State, to the end that the public may be fully taken into its confidence and that the committee may receive first-hand knowledge of the effect of the plan on the local conditions of each community. A copy of the bill to provide for such committee is hereunto attached and marked Exhibit "C."

#### II.

That the Governor of the State be authorized and requested by the Legislature to communicate with the President of the United States and invoke the aid of the federal government in establishing a basis for the execution of the coordinated plan. A copy of a resolution making such request of the Governor is hereunto attached and marked Exhibit "D."

#### III.

That the printing of Bulletins 13, 14, 15, 16 and 17 of the Department of Public Works be continued, in accordance with arrangements made and funds provided by the Board of Control since the convening of the Legislature, in order that this valuable information may be available to those so vitally interested in the water situation.



## IV.

That a constitutional amendment be submitted by this Legislature providing for the creation of the State Water Commission mentioned in this report, said constitutional amendment to be in substantially the form set forth in Exhibit "E," hereto attached.

## V.

That the State, either through its proper officials or by legislation, at once, file on, or withdraw from filing by private parties, the water rights to be utilized and required under the coordinated plan. A copy of the necessary legislation to accomplish this end is attached hereto, marked Exhibit "F."

## VI.

That the Governor be requested to ask the Attorney General, in the event that he deems invalid the legislation of the 1925 session, for the sale of the Folsom reservoir site, or the contract executed pursuant to such legislation, to institute legal proceedings for the cancellation of said contract, and the reacquiring by the State of the title to said property. A copy of the necessary resolution is attached hereto, marked Exhibit "G."

The legislation proposed by your committee we believe to be absolutely necessary if California is to continue to develop her water resources in security. Therefore, your committee submits the foregoing report and commends the recommendations therein contained to your favorable consideration.

Respectfully submitted,

J. C. GARRISON, Chairman.  
J. M. INMAN.  
HERBERT C. JONES.  
F. S. BOGGS.  
FRANK W. MIXTER.  
VAN BERNARD.  
B. S. CRITTENDEN.  
E. G. ADAMS, Secretary.

## RESERVATION OF CRITTENDEN AND BERNARD.

We have signed this report on condition that we will support an amendment thereto; that we believe E without the substance of Exhibit number two and Exhibit number one or the irrigation district report accomplishes little.

-B. S. CRITTENDEN.  
VAN BERNARD.

## EXHIBIT "A."

## CONCLUSIONS.

Our conclusions, more fully set out above, are as follows:

1. That an investigation and study of the economics of the proposed plan is vitally necessary before any determination in regard to the plan can be soundly made.
2. That the theory and procedure employed in analyzing the regulation of flood crests by means of storage are sound and logical, and the results obtained thereby unquestionably have merit.
3. That a reduction in peak flood flow can be obtained by means of storage without material interference with the use of the same storage capacity for conservation purposes, but we are not prepared to say to what extent this can be accomplished in each specific instance.
4. That the degree of protection afforded through controlling floods by storage is greater than that afforded by the present plan of protection by levees and by-passes.
5. That, aside from a possible saving in construction costs of the unfinished portions of the Sacramento project, and even if the whole project were completed under the present levee plan, the construction of the four main Sacramento basin storage reservoirs and their operation in the manner described, would contribute to the safety of the areas menaced by floods.
6. That flood control should not be given undue weight in relation to the coordinated plan as a whole. In the four main Sacramento reservoirs, the cost of the features necessary for flood control is only one fifty-fourth of the total cost.
7. The existing Sacramento flood control plan should not be disrupted in any manner by the present consideration of this storage project. Modifications to conform can be taken step by step with the development of the storage program.

Respectfully submitted,

ENGINEERING DEPARTMENT OF THE STATE  
RECLAMATION BOARD.

(Signed)

By A. M. BARTON, Chief Engineer.

## EXHIBIT "B."

REPORT OF SUBCOMMITTEE TO THE JOINT COMMITTEE OF SENATE AND ASSEMBLY UNDER  
ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTEEN.

*To the Joint Committee of the Senate and Assembly under  
Assembly Concurrent Resolution No. 16.*

GENTLEMEN: Your subcommittee appointed to meet with the legal representatives of public service corporations, irrigation districts and other organizations and

individuals for the purpose of attempting to work out a legal solution to the problems confronting the people of this State with regard to water storage, irrigation and kindred subjects, had a meeting with the representatives aforesaid upon the second day of February, 1927, and after a full day's discussion those present, other than your committee and other representatives of the State government, appointed a subcommittee as follows:

Mr. Fred G. Athearn.  
Justice W. M. Finch.  
Former Justice Max C. Sloss.  
Former Judge W. D. Tillotson.  
Attorney General U. S. Webb.

The last mentioned committee met and considered the matters under discussion and rendered its report to this subcommittee, a copy of which is hereto appended, marked "Exhibit No. 1."

That your subcommittee met and carefully considered said report and respectfully reports and recommends:

1. We are of the opinion that, in order to meet the legal situation, two constitutional amendments are necessary, the first, a copy of which is hereto appended and marked "Exhibit No. 2," we suggest should be offered as a substitute for Assembly Constitutional Amendment No. 19.

2. The second, a copy of which is hereto appended, marked "Exhibit No. 3," we suggest should be offered as a substitute for Senate Constitutional Amendment No. 14.

3. We recommend that, if found practicable, a bill be prepared and introduced, creating in detail the machinery authorized by Senate Constitutional Amendment No. 14 and being predicated upon the passage and adoption of that amendment by the people.

Respectfully submitted.

J. M. INMAN.  
BRADFORD S. CRITTENDEN.

On account of not having had the opportunity of meeting with the subcommittee, or of studying its report, I am compelled to refrain at this time from either dissenting from or approving the recommendations herein embodied.

HERBERT C. JONES.

#### EXHIBIT NUMBER ONE.

February 6, 1927.

*To the Honorable Senators, J. M. Inman, H. C. Jones and Bradford S. Crittenden.*

DEAR SIRS: Following the conference had in the office of the Governor, Wednesday, February 2, 1927, for the purpose of discussing Senate Constitutional Amendment No. 14 and Assembly Constitutional Amendment No. 19, the persons present at that conference, other than the Governor and members of the Legislature, met and appointed a committee to give further and detailed consideration to the subject involved in the two proposed amendments in the light of the views expressed at the general conference, and to report back to you the results of their deliberations.

The committee selected by the general conference was as follows:

Mr. Fred G. Athearn.  
Justice W. M. Finch.  
Former Justice Max C. Sloss.  
Former Judge W. D. Tillotson.  
Attorney General U. S. Webb.

The committee has spent much time in reviewing the suggestions made at the general conference held on February 2d, and has had also the benefit of the views subsequently expressed in writing to it by members of the general conference.

The several views expressed by the various members of the general conference and the views of the several members of the committee have, in the final analysis, a strikingly common characteristic, viz. that there is imperative need that the limits of the right of an owner of riparian land should be set and that prevention of a wasteful use of water is a matter of paramount importance to the general welfare of the State.

The problem before your committee has been that of accomplishing these ends without working unnecessary hardship and at the same time doing even-handed justice to present and prospective users of water.

The result of your committee's labors has been, therefore, an amalgamation as it were of both proposed constitutional amendments with addition of certain matter that is not now a part of either proposed amendment. These changes and additions have been effected with reference to Senate Constitutional Amendment No. 14 and will be so referred to in this report, as a matter of convenience only and not for the reason that such changes and additions could not have been made with reference to Assembly Constitutional Amendment No. 19.

Senate Constitutional Amendment No. 14 has been amended in the following particulars:

1. The words "lake or pond" have been stricken from the title and the word "or" inserted between "stream" and "watercourse."

2. The same change as made in the title has been made in line 15.

The reason for this change is that the committee is of the opinion that the proposed amendment should deal primarily with streams and watercourses and that there is no need for legislation affecting lakes and ponds.

3. The title has been changed so that it shall read "two new sections to be numbered three and four." The same change has been made in lines 7 and 8.

4. The word "natural" in line 9 has been stricken out.

This has been done for the reason that it appears to the committee that conditions generally, artificial as well as natural, require that the water resources of the State be conserved.

5. Following the word "prevented" in line 13, the following sentence has been added:

"It is further declared that the surplus waters in the State are owned by the State and that the conservation and equitable distribution of such waters are subject to the control of the State."

This has been added so as to make it clear by constitutional declaration that the surplus waters of the State are owned by the State. A definition of what constitutes "surplus water" is given in another amendment which appears later.

6. The period appearing at the end of line 24 is changed to a comma and the following phrase and sentence added:

"*provided, however*, that nothing in this section contained shall be deemed to vest in any person, firm or corporation any additional right to water or to the use of water, and surplus waters shall be used only in such manner and to such extent as may be provided by law. Surplus water of any stream or watercourse is hereby defined as all water flowing therein in excess of that flow required to supply the rights of the owners of riparian lands, as prescribed in this article, and the rights of appropriators and others acquired pursuant to law prior to the adoption of this section."

The purpose of the first phrase, "*provided, however*, that nothing in this section contained", etc., is to guard against conferring a vested right on any person, firm or corporation, other than the State, in waters which shall be saved or prevented from being wasted by reason of requiring that users of water shall put the same to the highest beneficial use and without waste, as provided in section 3 of the proposed amendment.

The sentence defining surplus water is designed to settle definitely that surplus waters are the waters that arise or that may be in the stream or watercourse after the rights of all persons to the use of water from the stream shall have been satisfied, and that such surplus waters shall be then owned by the State and their conservation and equitable distribution subject to the control of the State.

7. Another section, to be known as section 4, has been added, reading as follows:

"Riparian rights in a stream or watercourse attach to no more than so much of the flow thereof, as may be required or used consistently with section 3 of this article. The flow of a stream or watercourse is that flow which is confined within the natural banks thereof. The definition of riparian rights made in this article is to be observed in the future, and is intended also as a statement of the law as the same has existed continuously since by act of the Legislature of California the common law of England was declared to be the rule of decision in all the courts of this State."

The purpose of this section is to define beyond the peradventure of a doubt the limits of a riparian right in a stream or watercourse, and, further, to put beyond the sphere of debate what it is that constitutes the flow of a stream or watercourse, and that such water as has escaped beyond the natural banks of a stream is not a part of the flow to which riparian rights attach. This section also makes it imperative that the definition of water rights and of flow of stream be made the rule of decisions in the State of California.

Your committee also is of the opinion that there should be a separate constitutional amendment providing for the creation of a tribunal which should have the power to hear and determine questions involving rights to water and to the use thereof, as well as the power to determine the just compensation which should be paid in proceedings in eminent domain taken to condemn the right to water or to the use thereof. Such a tribunal should, in the opinion of your committee, be of expert and technical character, not bound by the ordinary rules of evidence, but with the power to make investigations at first hand, so that proceedings involving rights to water or the use of water, or the condemnation thereof, might be expeditiously determined. With that in view, your committee respectfully suggests an amendment to the constitution by adding a new section to article XX of the constitution, to be numbered 22 and to read as hereinafter set forth in Exhibit "B."

The vast importance to the people of the State of California of having the matter of water rights definitely settled in the State so that agricultural and industrial projects may go forward in security is so great that, in the event you and the Legislature see fit to take action along the lines suggested in this letter, your committee ventures to suggest and urge the advisability of calling a special election at an early date to ratify the amendments here suggested.

The constitutional amendment dealing with the conservation of water, as revised, is attached hereto as Exhibit "A."



The constitutional amendment dealing with the creation of a tribunal to handle cases involving water rights or the condemnation thereof is set forth as Exhibit "B," attached hereto.

Respectfully submitted.

FRED G. ATHEARN.  
W. M. FINCH.  
MAX C. SLOSS.  
W. D. TILLOTSON.  
U. S. WEBB.

We concur in the foregoing report, except the last sentence of section 4 of the proposed amendment to article XIV of the constitution. We express no opinion as to whether the proposed amendment would be violative of the fourteenth amendment to the constitution of the United States.

W. M. FINCH.  
W. D. TILLOTSON.

#### EXHIBIT "A."

Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of said state by adding to article XIV thereof two new sections to be numbered 3 and 4, declaring the interest of said state in the water resources thereof, and defining the right to the use and flow of water in any natural stream or watercourse in said state by appropriators, riparian owners or others.

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of all of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose to the people of the State of California that the constitution of said state be amended by adding to article XIV thereof two new sections to be numbered 3 and 4, reading as follows:

SEC. 3. It is hereby declared that because of the conditions prevailing in this state the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or wasteful use of water be prevented. It is further declared that the surplus waters in the state are owned by the state and that the conservation and equitable distribution of such waters are subject to the control of the state. The right to water or to the use or flow of water in or from any natural stream or watercourse in this state, whether by virtue of appropriation, riparian ownership or otherwise, is and shall be limited to such water as, when used economically and by economical methods of use, including methods of diversion, transportation, and application, shall at the time of use be reasonably required for the beneficial use to be served, and such right does not and shall not extend to the waste or wasteful use or wasteful method of use of water or to the maintenance of the natural level of a stream so as to effect a diversion of a part thereof, or for depositing silt therefrom; *provided, however,* that nothing in this section contained shall be deemed to vest in any person, firm or corporation any additional right to water or to the use of water, and surplus waters shall be used only in such manner and to such extent as may be provided by law. Surplus water of any stream or watercourse is hereby defined as all water flowing therein in excess of that flow required to supply the rights of the owners of riparian lands, as prescribed in this article, and the rights of appropriators and others acquired pursuant to law prior to the adoption of this section. This section shall be self-executing, but on the power of the Legislature to enact laws in furtherance of the policy in this section declared.

SEC. 4. Riparian rights in a stream or watercourse attach to no more than so much of the flow thereof as may be required or used consistently with section 3 of this article. The flow of a stream or watercourse is that flow which is confined within the natural banks thereof. The definition of riparian rights made in this article is to be observed in the future, and is intended also as a statement of the law as the same has existed continuously since by act of the Legislature of California the common law of England was declared to be the rule of decisions in all the courts of this state.

#### EXHIBIT "B."

The Legislature is hereby expressly vested with plenary power to create a state water commission, consisting of such number of members as the Legislature may determine, to be appointed by the governor; to prescribe the duties and powers of said commission; and to fix the terms and tenure of office, qualifications and the salaries of the members thereof. The Legislature may, in its discretion, unlimited by any provision of this constitution, other than the provisions of this section, vest said commission with jurisdiction and judicial power to investigate, hear and determine claims of right to the use of water, to hear and determine proceedings in eminent domain for the taking of water or the right to the use thereof for public use, and, in any such proceeding, to fix the just compensation to be paid for the taking of water or the right to the use thereof for public use; and may provide that, in fixing the amount of such compensation, the said commission shall take into consideration any benefits from the installation or operation of the proposed



public use which are reasonably certain to accrue to lands of the owner whose right to the use of water thereon is so taken; and may further provide the method and manner of all proceedings before said commission and the rules of evidence applicable thereto, and may authorize said commission to make independent investigations of its own and to take into consideration any data and information, acquired by means of such investigations, in determining any issues in any proceeding by or before it. All decisions of said commission shall be subject to review by the appellate courts of this state in such manner and to such extent as the Legislature may provide.

## EXHIBIT NUMBER TWO

Add to article XIV a new section to be numbered 3, to read as follows:

The ownership and beneficial use of all waters in this state being in the natural lakes, ponds or other static repositories thereof, or flowing in any natural stream or watercourse, whether surface or subterranean, are hereby declared to be a public use and such waters a public utility, and as such subject to the police powers of the state to be exercised in the equitable control, regulation, conservation and distribution thereof, with a view to the reasonable and beneficial use thereof and of the whole thereof in the interest of the people and for the public welfare.

I believe the following sentence should be added to Exhibit "B":

*"Provided, however,* that nothing herein contained shall be construed as depriving any riparian owner of the reasonable use of water riparian to his land under modern methods of diversion, transportation and application."

While I agree that little, if any, strength would be given the language and intent of the proposed amendment, I think it might well be included in order to remove all possible doubt in the minds of riparian owners.

J. M. INMAN.

## EXHIBIT NUMBER THREE.

Add to article XX a new section to be numbered 22, to read as follows:

The Legislature is hereby expressly vested with plenary power to create a state water commission, consisting of such number of members as the Legislature may determine, to be appointed by the governor; to prescribe the duties and powers of said commission; and to fix the terms of office and the salaries of the members thereof. The Legislature may, in its discretion, unlimited by any provision of this constitution other than the provisions of this section, vest said commission with jurisdiction and judicial power to investigate, hear and determine claims of right to the use of water, to hear and determine proceedings in eminent domain for the taking of water for public use, and, in any such proceeding, to fix the just compensation to be paid for the taking of water for public use; and may provide that, in fixing the amount of such compensation, the said commission shall take into consideration any benefits from the installation and operation of the proposed public use which are reasonably certain to accrue to the lands of the owner whose right to the use of water thereon is so taken; and may further provide the method and manner of all proceedings before said commission and the rules of evidence applicable thereto, and may authorize said commission to make independent investigations of its own and to take into consideration any data and information, acquired by means of such investigations, in determining any issues in any proceeding by or before it. All decisions of said commission shall be subject to review by the appellate courts of this state in such manner and to such extent as the Legislature may provide.

## EXHIBIT "C."

## SENATE CONCURRENT RESOLUTION NO. \_\_\_\_\_

WHEREAS, It is vital to the interests of the State that the Legislature of the State of California at the forty-eighth session thereof have available for the consideration of its members sufficient and adequate information to enable them to consider and to further the adoption and enactment of legislation needed to effect a solution of the water problems of the State; now, therefore, be it

*Resolved,* By the Senate of the State of California, the Assembly concurring, that a committee of eight members, consisting of four members of the Senate and four members of the Assembly, be appointed by the President of the Senate and the Speaker of the Assembly, respectively, to conduct a thorough investigation of the water problems of the State and to recommend to the Legislature of the State of California at the forty-eighth session thereof a unified State policy with reference to irrigation, reclamation, water storage, flood control and drainage with due regard to the needs of water for domestic use, irrigation, power, mining, salt water control and navigation; and, be it further

*Resolved,* That said committee shall proceed at once to organize by the election of one of its members as chairman and by the selection of a secretary and to proceed forthwith with said investigation in the manner to be determined by said committee; and, be it further

*Resolved,* That the committee be and the same is hereby authorized and directed to confer and cooperate with the appropriate authorities of the United States and

of this State in conducting said investigation to the end that a unified plan for the complete development of the water resources of the State may be presented to the Legislature at the next session thereof; and, be it further

*Resolved*, That each department, board, commission and officer of the executive or administrative branch of the government of the State of California, whenever directed or requested by said committee, shall furnish to said committee such assistance as it may require; and, be it further

*Resolved*, That said committee is authorized to hold or conduct public hearings at any place in the State of California to the end that the people of the State may have full opportunity to present their views to the committee upon the subjects under investigation; and, be it further

*Resolved*, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and objects hereinbefore referred to, and is hereby authorized and empowered to require the production of persons, books, agreements, documents, recommendations and papers of every kind; to issue subpoenas and to take all necessary means to compel the attendance of witnesses, and to procure testimony, and the members of said committee are and each of them is hereby authorized to administer oaths; and all the provisions of article VIII of chapter II, title I, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. Also, said committee is hereby given leave to sit during the Legislature and during the recess, either at the Capitol, or at such other place, or places, as said committee shall from time to time designate.

#### EXHIBIT "D."

##### SENATE CONCURRENT RESOLUTION NO. \_\_\_\_\_

Relating to securing the aid of the United States Government in establishing a basis for execution of the coordinated plan for development of the water resources of California.

WHEREAS, The Joint Legislative Committee of the forty-seventh session of the Legislature, under Assembly Concurrent Resolution No. 16, has submitted its report, and,

WHEREAS, During its deliberation said committee fully realized that certain features of the coordinated plan for the development of the water resources of California, as outlined in Bulletin No. 12 of the State Engineer, involved matters coming within the jurisdiction and concern of the Federal government, and,

WHEREAS, Governor Young, in his inaugural address, recognized the paramount importance of some comprehensive plan for the conservation and development of the water resources of California in the following words:

"The solution of this problem can no longer be left to haphazard and unrelated development. There is no doubt that it is high time to seek some comprehensive plan which will meet the needs of both our great central valleys. The water which falls so bountifully during our winters, and which now wastes itself in bay and ocean, if properly stored and controlled and placed upon the land, would be sufficient to water every irrigable foot of this vast area, beside practically eliminating all future danger from winter floods.

This enterprise, however, is so vast that it can be financed by no one agency alone. The farmer whose lands are benefited can not meet the expense, as he largely does in the case of minor irrigation projects. The county whose cities are dependent upon local agricultural prosperity must also do its share. The State must take the leadership in coordinating and planning the whole. The Federal government possibly must be asked to advance the money for the initial construction, just as is proposed in the Boulder Canyon project."

Now, therefore, be it

*Resolved*, By the Senate, the Assembly concurring, that this Legislature commend to the Governor that he communicate with the President of the United States and invoke the cooperation and aid of the Federal government in establishing a basis for the execution of the coordinated plan for development of the water resources of California.

#### EXHIBIT "E."

The Legislature is hereby expressly vested with plenary power to create a State Water Commission, consisting of such number of members as the Legislature may determine, to be appointed by the Governor; to prescribe the duties and powers of said commission; and to fix the terms and tenure of office, qualifications and the salaries of the members thereof. The Legislature may, in its discretion, unlimited by any provision of this constitution, other than the provisions of this section, vest said commission with jurisdiction and judicial power to investigate, hear and determine claims of right to the use of water, to hear and determine proceedings in eminent domain for the taking of water or the right to the use thereof for public use, and, in any such proceeding, to fix the just compensation to be paid for the taking of water or the right to the use thereof for public use; and may provide that, in fixing the amount of such compensation, the said commission shall take

into consideration any benefits from the installation or operation of the proposed public use which are reasonably certain to accrue to lands of the owner whose right to the use of water thereon is so taken; and may further provide the method and manner of all proceedings before said commission and the rules of evidence applicable thereto, and may authorize said commission to make independent investigations of its own and to take into consideration any data and information, acquired by means of such investigations, in determining any issues in any proceeding by or before it. All decisions of said commission shall be subject to review by the appellate courts of this State in such manner and to such extent as the Legislature may provide.

#### EXHIBIT "F."

AN ACT RESERVING CERTAIN UNAPPROPRIATED WATERS FOR APPROPRIATION OR DISPOSITION BY THE STATE OF CALIFORNIA, AND PROVIDING FOR THE APPROPRIATION THEREOF TEMPORARILY BY OTHERS.

The people of the State of California do enact as follows:

SECTION 1. There is hereby reserved for appropriation except as hereinafter provided, all unappropriated waters and all waters hereafter becoming unappropriated which are tributary to certain proposed reservoirs and reservoir sites named in the "Summary Report of the Water Resources of California and a Coordinated Plan for their Development," submitted by Paul Bailey, State Engineer, as a report to the Legislature of 1927, which report bears the date of January 1, 1927, and has been printed as Bulletin No. 12 of the Division of Engineering and Irrigation of the Department of Public Works of the State of California, and which proposed reservoirs and reservoir sites are more definitely described in the appendices to said report and are designated in said report by name as Kennett Reservoir, Oroville Reservoir, Narrows Reservoir, Parker Reservoir, Folsom Reservoir, Fairview Reservoir, Temperance Flat Reservoir, Pine Flat Reservoir, Isabella Reservoir, and Bakersfield Reservoir.

SEC. 2. The waters hereby reserved from appropriation shall be subject to appropriation for beneficial use by the State of California through its duly authorized representatives as may be hereafter provided by act of the Legislature of the State of California.

SEC. 3. The waters hereby reserved from appropriation shall be subject to appropriation as provided in the Water Commission Act of the State of California; provided, however, that appropriations made under the Water Commission Act for said reserved waters shall be temporary and that no rights shall inure to or vest in favor of such temporary appropriators as against the State or such ultimate disposition of said reserved waters as may be hereafter made by act of the Legislature.

SEC. 4. All permits and licenses for the appropriation of water hereafter issued under the Water Commission Act shall include the enumeration of conditions therein which in substance shall include all the provisions of this section, and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as herein expressed.

#### EXHIBIT "G."

##### SENATE CONCURRENT RESOLUTION NO. -----

Relating to investigation by the Attorney General into the legality of Assembly Bill No. 1206, chapter LXV, of the 1925 session of the Legislature, and the contract entered into pursuant to said bill for the sale of the Folsom Reservoir site.

WHEREAS, The Joint Legislative Committee, under Assembly Concurrent Resolution No. 16, has submitted its report to this Legislature; and

WHEREAS, During the deliberations of this committee the question of the validity of Assembly Bill No. 1206, chapter LXV, of the 1925 session of the Legislature, and also the legality of the contract entered into pursuant to said bill were brought to the attention of said committee; and

WHEREAS, This committee has by resolution requested the Attorney General to submit his opinion as to the legality of said bill and said contract; therefore, be it

*Resolved*, By the Senate, the Assembly concurring, that the Governor of this State be requested to ask the Attorney General, in the event that the Attorney General deems invalid the said legislation of the 1925 session for the sale of the Folsom Reservoir site, or the contract executed pursuant to said legislation, to institute legal proceedings for the cancellation of said contract and the reacquiring by the State of the title to said property.

#### REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce bill was presented:  
By Senator McKinley:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State



of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 564—An act to amend section 336 of the Civil Code, relating to corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 814—An act relating to intoxicating liquors, making it a felony to own, operate, or knowingly possess any still used, designed, or intended for the manufacture of intoxicating liquor and providing a penalty for the violation thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following: "An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof and repealing all inconsistent acts."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill after the enacting clause and insert in lieu thereof the following:

Section 1. Any person, whether acting in his own behalf or as the agent, servant, officer or employee of any person, firm, association or corporation, who shall be the owner of or have any interest in or who shall operate or cause to be operated or knowingly have in his possession or control, any still, still worm, still cap, still condenser or stilling device of any kind, designed, used or intended for use in the manufacture or production of intoxicating liquor for beverage purposes, shall be guilty of a felony and upon conviction thereof shall be punished by a fine of not less than one thousand (\$1,000) dollars nor more than five thousand (\$5,000) dollars, and by imprisonment in the state prison for not less than one year nor more than five years.

Sec. 2. The provisions of this act shall not apply to any person, firm, association or corporation who has a permit issued under the laws and regulations of the United States, or of any department thereof, for the manufacture either of alcohol for denaturation or of vinegar or of beverages containing less than one-half of one per centum of alcohol by volume from intoxicating liquor or arrested fermentation.

Sec. 3. This act is an exercise of the police power for the protection of the public health, peace and safety, and all the provisions thereof shall be liberally construed to the end that the use of stills and stilling devices in the manufacture or production of intoxicating liquor for beverage purposes may be prevented.

Sec. 4. All acts or parts of acts inconsistent with this act are repealed only to the extent of such inconsistency.

Sec. 5. If any section or part thereof or any provision of this act shall be held to be unconstitutional or for any reason invalid, it shall not be construed to affect or invalidate any other provision thereof.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to

pay the principal and interest thereon." approved May 23, 1921, and to add a new section to said act to be numbered section 15a, relating to the payment of the interest due on bonds of the district.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Strike out the word "and" in line 31, page 5, of the printed bill, and insert in lieu thereof the word "and".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

After line 11, page 10, of the printed bill, add a new paragraph reading as follows:

(5) The amount of compensation to be charged by and paid to any county for the performance of services as in this section provided for and on behalf of any such municipal utility district shall be fixed by agreement between the board of supervisors of such county and the legislative body of such district; *provided, however, that such compensation shall in no event exceed one-half of one per cent of all moneys collected for such district as in this act provided. The amount so collected by such county shall be placed to the credit of the county salary fund.*

Amendment adopted.

##### AMENDMENT NUMBER THREE.

Strike out all of the bill after the figures "15a", line 14, page 10, of the printed bill, and insert in lieu thereof the following:

"In lieu of the immediate levy of a tax to pay the interest or any part thereof on any bonded debt hereafter incurred as provided in section 15 of this act the board of directors may in the estimate of the amount of money necessary to be raised by such bonds include a sum sufficient to pay interest on all of such bonds or part thereof during the period of acquisition, construction or completion, and until revenues may be earned by the contemplated public utility or utilities, but for no period in excess of five years. Thereafter the board may use so much of the proceeds from the sale of the said bonds as may be necessary for the payment of such interest until the receipt of revenues, the amount used however not to exceed the sum so included by the board in its estimate for such purpose."

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

After line 14, page 8, of the printed bill, add two new paragraphs reading as follows:

In lieu of a resolution passed as hereinbefore provided by its board of directors, proceedings for the issuance of bonds for the purposes in this section provided may be initiated by petition of the qualified electors of such district.

Whenever any petition or petitions, each signed by electors of the district equal in number to fifteen per centum of the qualified electors of such district, computed upon the total number of votes cast therein for all candidates for Governor at the last preceding election at which a Governor was elected, shall be presented to the board of directors of said district asking for the acquisition, construction or completion of the whole or any portion of any utility, or works referred to in this act, or for acquiring any works, lands, structures, rights, or other property necessary or convenient to carry out the objects, purposes or powers of such district, and also asking that a bonded indebtedness be incurred to pay for the cost thereof, then it shall be the duty of the secretary of the district to immediately proceed to examine and verify the signatures of such petition or petitions, and to certify the result of such examination to the board of directors. If the required number of signatures be found to be genuine, the secretary shall transmit to the board of directors an authentic copy of such petition or petitions without the signatures thereto. Upon receiving the petition or petitions with the certificate of the secretary stating that it or they contain the required number of signatures, the board of directors shall formulate for submission to the electors of the district at a special election called for that purpose the proposition of incurring a bonded debt for the purposes set forth in said petition, and thereafter the said election and all things and proceedings with reference to the said bonds and the issuance thereof shall be conducted and performed in the same manner as if the proceedings had been initiated by resolution of the board of directors of said district as hereinbefore provided. In its discretion

the board of directors may defer the calling of said election until the next general election to be held in the district in order that the same may be consolidated therewith.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 70—An act to amend an act entitled “An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act,” approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 10, and insert in lieu thereof the following: “city, town, municipal utility district, flood control district, school district or irrigation district”.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out line 20, and insert in lieu thereof the following: “municipal utility district, flood control district, school district or irrigation district”.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out line 10, and insert in lieu thereof the following: “municipal utility district, flood control district, school district, or irrigation district”.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 71—An act to amend an act entitled “An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act,” approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following: “county, city, town, municipal utility district, flood control district, school district, or”.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 17, and insert in lieu thereof the following: “ity district, flood control district, school district or irrigation district within this”.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 72 An act to amend an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23 1913, by providing that the surplus funds in the treasury of municipal utility districts may be invested in like manner as those of other municipal corporations mentioned in said act.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out line 6 thereof and inserting in lieu thereof the following: "municipal utility districts and flood control districts may be invested in like manner as".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 7, and insert in lieu thereof the following: "or town, municipal utility district or flood control district, which now has, or".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "county, city and county, incorporated city or town, municipal utility district or flood control district, is hereby authorized to invest such portion".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 13, and insert in lieu thereof the following: "county, city and county, incorporated city or town, flood control district or municipal".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out line 16, and insert in lieu thereof the following: "and county, incorporated city or town, flood control district or municipal utility".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out line 21, and insert in lieu thereof the following: "of such flood control district or municipal utility district is situated, or in bonds".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 17 and 18, and insert in lieu thereof the following: "the county, city and county, incorporated city or town, municipal utility district or flood control district, or under its authority."

Amendment adopted.

##### AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following: "county, incorporated city or town, municipal utility district or flood control district."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out all of said line after the word "contract" and all of line 11 up to and including the word "dollars".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 143—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 68—An act to amend section 6 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add three new sections to said act to be numbered sections 6a, 6b and 6c, respectively, relating to the annexation of territory to said district, and also adding a new section to said act to be numbered section 6d, relating to the control of any existing publicly owned utility in such district.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto to be numbered section 15b, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security for the deposit of public funds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 205—An act to cure defects in maps or plats filed for record prior to January 15, 1927, and in deeds or conveyances referring to such maps.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 79—An act to amend section 852*a* of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government, and relating to the compensation of officers of municipalities.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 277—An act to amend an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof and for the districting, governing and municipal control of such annexed territory," approved June 11, 1913, as amended, by amending section 9 of said act to provide for the preservation of the status of special improvement proceedings.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 303—An act authorizing municipalities to declare any accumulation of stagnant water, manure, garbage, offal, rubbish, or filthy or offensive matter of any kind upon private property within municipalities to be a public nuisance and creating a lien upon the property upon which such nuisance exists for the cost of abating the same.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 355—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to State for delinquent taxes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 290—An act to amend section 20 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,'" approved June 3, 1921, and all amendments thereto, and adding a new section to be numbered section 64.



## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "twelve".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 292—An act to amend section 308 of the Civil Code.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 650—An act to amend section 2872 of the Political Code, relating to toll-bridges.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 820—An act to amend section 1387 of the Code of Civil Procedure, relating to executors and administrators.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 821—An act to repeal section 1756 of the Code of Civil Procedure, relating to letters of guardianship.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 137—An act to amend section 4300*g* of the Political Code, relating to witness fees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 238—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 240—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 472—An act to amend section 1163 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 473—An act to amend section 113 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read second time, ordered engrossed, and on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 721—An act to add a new section to the Political Code, to be numbered 4041j, relating to the building and maintenance of permanent county fair buildings by the county board of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 721 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 130—An act to amend section 19x56 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of the probation officer in counties of the fifty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 130 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code, consisting of sections 350 to 350x, both inclusive, all relating to the transfer of stock incorporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states.

On motion of Senator Lyon, Senate Bill No. 159 was passed on file.

Senate Bill No. 265—An act to add a new section to the Code of Civil Procedure, to be numbered 559½, relating to writs of attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 616—An act to amend section 3787 of the Political Code, relating to the collection of property taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 616 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 617—An act to amend section 1 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants and other municipal securities which have become defaced or mutilated," approved February 23, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 617 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis Law" of California; to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation, and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act, including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 219 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



## REQUEST FOR INTRODUCTION OF BILL.

By Senator Sharkey:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll-bridge franchises by boards of supervisors.

Request referred to Committee on Rules.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Boggs to introduce a bill entitled "An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Wagy, Weller, West, and Young—33.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Boggs: Senate Bill No. 839—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts.

Bill read first time, and referred to Committee on Reapportionment.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Boggs, to introduce a bill entitled—"An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman,

Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Weller, West, and Young—32.  
NOES—None.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Boggs: Senate Bill No. 840—An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America.

Bill read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ingram to introduce a bill entitled "An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of act inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, Weller, West, and Young—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Ingram: Senate Bill No. 841—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read first time, and referred to Committee on Civil Service.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hurley, to introduce a bill entitled—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921, and May 23, 1925—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, West, and Young—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Hurley: Senate Bill No. 842.—An act to amend sections 5 and 6 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canneries or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended May 18, 1921, and May 23, 1925.

Bill read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator McKinley to introduce a bill entitled—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and West—30.

NOES—None.



## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator McKinley: Senate Bill No. 843—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

## REQUEST FOR INTRODUCTION OF BILL.

The following request for permission to introduce bill was presented:

By Senator Allen, J. M.:

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto.

Request referred to Committee on Rules.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 221—An act to amend section 307 of the Civil Code, excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section.

On motion of Senator Jones, H. C., Senate Bill No. 221 was passed on file.

Senate Bill No. 582—An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 582 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Wag, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 271—An act to amend section 2 of "The State Medical Practice Act," approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 271 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman,

Jones, H. C., Jones, Ray; Kline, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Wagy, West, and Young—431.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof.

On motion of Senator Evans, Senate Bill No. 263 was passed on file.

Senate Bill No. 447—An act to add a new section to the Political Code, to be numbered 1608*b*, providing courses in forestry, the acquiring by school districts of necessary lands therefor outside such districts, the afforestation and reforestation thereof, and of public lands, and for transportation of pupils.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 447 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 558 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended.

On motion of Senator Crowley, Senate Bill No. 308 was passed on file.

Senate Bill No. 310—An act to amend the State Medical Practice Act, approved June 2, 1913, as amended, by adding thereto a new section known as section 11a, relating to the recognition of a certificate of examination issued by the National Board of Medical Examiners of the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 310 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 468—An act to amend section 2322, relating to the office of the horticultural commissioners in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 468 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 633—An act to amend section 649 of the Civil Code and to add certain new sections, to be known as sections 649a, 651a, 651b, 651c, and 651d, relating to the incorporation of colleges and seminaries of learning.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633 passed by the following vote:

AYES—Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Wagy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 30—An act to provide that a certain highway in Santa Cruz County shall become a State highway on approval of such highway by the California Highway Commission.

On motion of Senator Johnson, Senate Bill No. 30 was re-referred to Committee on Roads and Highways.

Senate Bill No. 196—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County.

On motion of Senator Wagy, Senate Bill No. 196 was passed on file.

Senate Bill No. 215—An act to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to assessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 222—An act declaring a certain public highway extending from Clements in San Joaquin County to Ione in Amador County to be a State highway and providing for the construction of the same.

On motion of Senator Boggs, Senate Bill No. 222 was re-referred to Committee on Roads and Highways.

Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision.

Senate Bill No. 97 was passed on file.

Senate Bill No. 634—An act to amend section 11 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to salaries of the superintendent and employees of Bureau of Criminal Identification.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 634 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Waggy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II *h*, embracing sections 367 to 367*g*, relating to a Department of Social Welfare.

On motion of Senator Swing, Senate Bill No. 794 was passed on file.

Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II *i* embracing sections 372 to 372*c*, relative to a Department of Health.

Senate Bill No. 793 was ordered passed on file.

Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, excepting certain counties from the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 242 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, and Weller—28.

NOES—None.

TITLE AMENDED.

Senator Allen moved to amend the title of Senate Bill No. 793 by adding thereto the following:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 6 of the title, after the word "approved" strike out the words "May 20, 1915," and insert in lieu thereof the words "March 23, 1901."

Title, as amended, read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 966—An act making an appropriation to meet a deficiency in the appropriation for support, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 967—An act making an appropriation to meet a deficiency in the appropriation for salaries, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

INMAN, Chairman.

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

The message from the Governor recommending the passage of Assembly Bills Nos. 966, 967, 968, and 969, as required by section 34 of article IV of the constitution, was received on February 25th and recorded in the Senate Journal of that date.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 966 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, and Weller—32.

NOES—None.



Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 966.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-SIX.

Assembly Bill No. 966—An act making an appropriation to meet a deficiency in the appropriation for support, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "forty-five".

Amendment adopted.

Bill read second time, amended, and ordered on file for third reading.

URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, and Weller—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 966 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Assembly Bill No. 966 ordered to print, and transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and four minutes p.m., President pro tempore Arthur H. Breed of the Fifteenth District was called to the chair.

RESOLUTION.

The following resolution was offered.

By Senator Inman:

Resolved, That Assembly Bill No. 967 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section

requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, and Weller—32.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 967.

SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-SEVEN.

Assembly Bill No. 967—An act making an appropriation to meet a deficiency in the appropriation for salaries, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "sixty-seven" and insert in lieu thereof the word "thirty-seven".

Bill read second time, amended, and ordered on file for third reading.

#### URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Taylor, Waggy, and Weller—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 967 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Assembly Bill No. 967 ordered to print, and transmitted to the Assembly.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 968—An Act making an appropriation to meet a deficiency in the appropriation for printing, binding and all other work performed and materials furnished by the Division of Printing of the Department of Finance to the Legislature for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 969—An act making an appropriation to meet a deficiency in the appropriation for compensation benefits, state officers and employees, for the seventy-seventh and seventy-eighth fiscal years;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

INMAN, Chairman.

## RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 968 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Wagy, and Weller—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 968.

## SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-EIGHT.

Assembly Bill No. 968—An act making an appropriation to meet a deficiency in the appropriation for printing, binding and all other work performed and materials furnished by the Division of Printing of the Department of Finance to the Legislature for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, and ordered on file for third reading.

## URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Wagy, and Weller—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 968 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Assembly Bill No. 968 ordered transmitted to the Assembly.

#### RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 969 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, and Weller—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 969.

#### SECOND READING OF ASSEMBLY BILL NUMBER NINE HUNDRED SIXTY-NINE.

Assembly Bill No. 969—An act making an appropriation to meet a deficiency in the appropriation for compensation benefits, State officers and employees, for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, and ordered on file for third reading.

#### URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, and Weller—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 969 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram,

Inman, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, and Weller—29.  
NOES—None.

Title read and approved.

Assembly Bill No. 969 ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Handy was, on motion of Senator Slater, granted leave of absence for the balance of this legislative day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 3—An act to amend section 925 of the Penal Code, relating to grand juries:

Also: Assembly Bill No. 143—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty second class:

Also: Assembly Bill No. 468—An act to amend section 1714 of the Political Code, relating to school library funds in cities or cities and counties:

Also: Assembly Bill No. 503—An act to amend section 4295 of the Political Code, relating to official fees and services:

Also: Assembly Bill No. 944—An act to amend section 4197 of the Political Code, relating to annual report of Law Library:

Also: Assembly Bill No. 1033—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the Law Library:

Also: Assembly Bill No. 1092—An act relating to the service of county free libraries.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 3 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 143 and 468 read first time, and referred to Committee on County Government.

Assembly Bill No. 503 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 944, 1033 and 1092 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 628—An act authorizing suits against the State, relating to certain real property and regulating the procedure therein:

Also: Assembly Bill No. 841—An act to amend section 97 of the Code of Civil Procedure, relating to salaries of justices of the peace in cities and counties:

Also: Assembly Bill No. 553—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, as amended:

Also: Assembly Bill No. 695—An act to amend section 1463 of the Penal Code, relating to the disposition of all moneys collected therein:

Also: Assembly Bill No. 164—An act to add a new section, to be numbered section 22a, to the "Juvenile Court Law," approved June 5, 1915, as amended, relating to maintenance of public schools in detention homes:

Also: Assembly Bill No. 634—An act to amend section 2 of an act entitled "An act providing for the publication of an index of the laws of California and making an appropriation therefor," approved May 23, 1919, as amended, relating to the price of such index.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 628, 841, 553, and 695 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 161 read first time, and referred to Committee on County Government.

Assembly Bill No. 634 read first time, and referred to Committee on Engrossment, Enrollment and Printing.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 5—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system;

Also: Assembly Joint Resolution No. 4—Relative to memorializing Congress to adopt a bill to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

ARTHUR A OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Joint Resolutions Nos. 5 and 4 read, and referred to Committee on Federal Relations.

#### REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read, out of the regular order:

#### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 134—An act to add a new section to be numbered 4235m to the Political Code, relating to the sheriff's special fund;

Also: Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the state," approved March 4, 1889, as amended;

Also: Senate Bill No. 177—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax;

Also: Senate Bill No. 184—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Senate Bill No. 264—An act to amend section 4232a of the Political Code, relating to the compensation of jurors in counties of the third class;

Also: Senate Bill No. 276—An act to add a new section to the Political Code, to be numbered section 4056c, relating to the power of boards of supervisors to establish and maintain public airports within their respective counties;

Also: Senate Bill No. 246—An act to amend section 2322r47 of the Political Code, relating to the salary of the horticultural commissioner in counties of the forty-seventh class;

Also: Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; provided not less than three printed copies of such code or codes, in book form, have been filed with the clerk.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 134, 513, 177, 184, 264, 276, 246 and 247 ordered on file for second reading.

#### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 95—An act to amend section 1197 of the Political Code, relating to election ballots, the manner of voting and conduct of elections—has had the same under



consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—11.

FELLOM, Chairman.

Senate Bill No. 95 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 20—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—11.

FELLOM, Chairman.

Senate Bill No. 20 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 24—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—11.

FELLOM, Chairman.

Senate Bill No. 24 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 22—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to election precincts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—11.

FELLOM, Chairman.

Senate Bill No. 22 ordered on file for second reading.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 509—An act to add a new section to the Political Code to be numbered 1607b, relating to the powers and duties of governing boards of school districts;

Also: Senate Bill No. 193—An act to amend the Political Code, by adding thereto a new section, to be numbered 1894, relating to the sale of school supplies by one district to another;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

SLATER, Chairman.

Senate Bills Nos. 509 and 193 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 493—An act to add a new section to the Political Code to be numbered 1731a, relating to schools;

Also: Senate Bill No. 568—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bills Nos. 493 and 568 ordered on file for second reading.

## ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 337—An act to amend section 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees," approved April 7, 1911, as amended, relating to nomination papers;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—11.

FELLOM, Chairman.

Senate Bill No. 337 ordered on file for second reading.

## ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 6—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class;

Also: Senate Bill No. 716—An act to amend section 529 of the Civil Code, relating to bridge, ferry, wharf, chute and pier corporations;

Also: Senate Bill No. 671—An act to amend section 2322-40 of the Political Code, relating to the salaries of county horticultural commissioners, deputies, and inspectors in counties of the fortieth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 6, 716, and 671 ordered on file for second reading.

## ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 78—An act to add a new section to the Political Code, to be numbered 1624, relating to the sale of school property by one district to another—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bill No. 78 ordered on file for second reading.

## REQUEST FOR INTRODUCTION OF BILL.

By Senator Handy:

SENATE CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add a new section to the Political Code, to be numbered section 2643, relating to powers and duties of supervisors respecting roads.

Request referred to Committee on Rules.

## ADJOURNMENT.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Nelson, the President declared the Senate adjourned until eleven o'clock a.m., Monday, March 7, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Monday, March 7, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 4, 1927, the further reading was dispensed with, on motion of Senator Rush.

## SENATOR JONES, H. C., IN THE CHAIR.

At eleven o'clock and five minutes a.m., Senator Jones, H. C., of the Twenty-eighth District was called to the chair.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Ex-Senator F. J. Powers of Eagleville, Modoc County, California.

On request of Senator Taylor, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Lostutter, president of the Mutual Building and Loan Association, of Pomona, California.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Harrison Therum and Lewis Faulke of Gazelle, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. T. M. Carlson of Richmond, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Edward H. Hurlbert of San Francisco, California.

On request of Senator Jones, H. C., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Shenk, justice of the Supreme Court of California.

## LEAVE OF ABSENCE.

Senator Chamberlin was, on motion of Senator Evans, granted leave of absence for this day.

## MOTION.

Senator Slater addressed the Senate on the occasion of this being Bird and Arbor Day, the birthday of the late Luther Burbank of Santa Rosa, California, and moved, duly seconded by Senator Handy, that when adjournment for this day should be taken, such adjournment be out of respect to the memory of the late Luther Burbank.

Motion unanimously carried.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision;

Also: Senate Bill No. 564—An act to amend section 336 of the Civil Code, relating to corporations;

Also: Senate Bill No. 814—An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof and repealing all inconsistent acts;

Also: Senate Bill No. 70—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Senate Bill No. 71—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Senate Bill No. 72—An act to amend an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913, by providing that the surplus funds in the treasury of municipal utility districts and flood control districts may be invested in like manner as those of other municipal corporations mentioned in said act;

Also: Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work;

Also: Senate Bill No. 143—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens;

Also: Senate Bill No. 68—An act to amend section 6 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add three new sections to said act, to be numbered sections 6a, 6b and 6c, respectively, relating to the annexation of territory to said district, and also adding a new section to said act, to be numbered section 6d, relating to the control of any existing publicly owned utility in such district;

Also: Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto to be numbered section 15b, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security for the deposit of public funds;

Also: Senate Bill No. 205—An act to cure defects in maps or plats filed for record prior to January 15, 1927, and in deeds or conveyances referring to such maps;



Also: Senate Bill No. 79—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government, and relating to the compensation of officers of municipalities;

Also: Senate Bill No. 277—An act to amend an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof and for the districting, governing and municipal control of such annexed territory," approved June 11, 1913, as amended, by amending section 9 of said act to provide for the preservation of the status of special improvement proceedings;

Also: Senate Bill No. 303—An act authorizing municipalities to declare any accumulation of stagnant water, manure, garbage, offal, rubbish, or filthy or offensive matter of any kind upon private property within municipalities to be a public nuisance and creating a lien upon the property upon which such nuisance exists for the cost of abating the same;

Also: Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended;

Also: Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands;

Also: Senate Bill No. 355—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to State for delinquent taxes;

Also: Senate Bill No. 290—An act to amend section 20 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter 589 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,'" approved June 3, 1921, and all amendments thereto, and adding a new section to be numbered section 6½;

Also: Senate Bill No. 292—An act to amend section 308 of the Civil Code;

Also: Senate Bill No. 650—An act to amend section 2872 of the Political Code, relating to toll-bridges;

Also: Senate Bill No. 820—An act to amend section 1387 of the Code of Civil Procedure, relating to executors and administrators;

Also: Senate Bill No. 821—An act to repeal section 1756 of the Code of Civil Procedure, relating to letters of guardianship;

Also: Senate Bill No. 137—An act to amend section 4309g of the Political Code, relating to witness fees;

Also: Senate Bill No. 238—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses;

Also: Senate Bill No. 240—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents;

Also: Senate Bill No. 472—An act to amend section 1163 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

Also: Senate Bill No. 473—An act to amend section 113 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 169—An act to add a new section to be numbered 6c to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to assuming of obligation of guarantor by transportation companies;

Also: Senate Bill No. 170—An act to amend section 6 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to mortgages and liens on property of transportation companies;

Also: Senate Bill No. 171—An act to add a new section to be numbered 7½ to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, conferring jurisdiction upon the Railroad Commission to award reparation against transportation companies; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

WAGY, Chairman.

Senate Bills Nos. 169, 170 and 171 ordered on file for second reading.  
Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 287—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the granting of certificates of public convenience and necessity to foreign corporations;

Also: Senate Bill No. 125—An act to amend section 51 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations; creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

WAGY, Chairman.

Senate Bills Nos. 287 and 125 ordered on file for second reading.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

WAGY, Chairman.

Senate Bill No. 123 ordered on file for second reading.

## ON RULES.

## SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Handy to introduce a bill entitled—An act adding a new section to the Political Code, to be numbered section 2643, relating to powers and duties of supervisors respecting roads—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West and Young—35.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Handy: Senate Bill No. 844—An act to add a new section to the Political Code to be numbered section 2643, relating to powers and duties of supervisors respecting roads.

Bill read first time, and referred to Committee on Roads and Highways.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Allen, J. M., to introduce a bill entitled—An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Allen, J. M.: Senate Bill No. 845—An act providing for the use of the labor of inmates of any State prison or the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sharkey to introduce a bill entitled—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll-bridge franchises by boards of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.



The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Sharkey: Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll-bridge franchises by boards of supervisors.

Bill read first time, and referred to Committee on County Government.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrant for the same amount, and the Treasurer is hereby directed to pay the same:

Gertrude Rettig, Stenographer-----\$5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That F. E. Dalin be and he is hereby transferred from the position of Assistant at the Desk at \$5 per day to the position of History Clerk at \$7 per day, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 57 thereof, relating to the compensation of directors and other officers.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the comma following the word "under," and insert a period in lieu thereof.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, lines 16 and 17, of the printed bill, strike out the words: "which may include the salary or per diem to be paid to the directors."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 28—An act to amend section 46 of the "California Irrigation District Act," approved March 31, 1897, relating to the entry of the record of assessment sales and the addition of penalties to assessments upon redemption.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, following the word "one" insert the words "and one-half."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 77—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out each and every word beginning with the word "when" in line 19, down to and including the word "issued", on line 23, and insert in lieu thereof the following: "After the return and filing of the writ of attachment, or upon filing by the plaintiff of a verified affidavit setting forth the loss of the writ of attachment, the justice of the peace, upon demand of the plaintiff, may issue an alias writ which shall be in the same form as the original."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the word "first" insert a comma and strike out the word "or".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the word "class" and insert in lieu thereof "or third class."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof: to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the licensing of real estate brokers and salesmen.

On motion of Senator Breed, Senate Bill No. 241 was passed on file.

Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "that" insert the following: "water and sewage discharged from the municipal sewer system, the property and equipment used in treating or disposing of such sewage and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the semicolon following the word "years", add the following: "and excepting that the tide-lands and submerged lands granted to any city by the state, may be leased for a period not exceeding fifty years if the grant from the State of California of the use of said tide-lands and submerged lands does not provide specifically for a term of years for which said lands may be leased".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, after the word "owned" add the words "or controlled".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 575—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out the last two lines thereof and insert in lieu of the same the following: "certain actions or proceedings to which a county, city and county, city or public corporation or district is a party."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 134—An act to add a new section to be numbered 4235*m* to the Political Code, relating to the sheriff's special fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 177—An act to amend section 3566 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 184—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 264—An act to amend section 4232*a* of the Political Code, relating to the compensation of jurors in counties of the third class.

## AMENDMENT FROM THE FLOOR.

During the second reading of the bill, the following amendment from the floor was offered and its adoption moved by Senator Christian:

## AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out all of lines 12, 13 and 14 and insert in lieu thereof the following: "mileage to be computed at the rate of fifteen cents per mile necessarily traveled in attending court, in going only, and shall be paid to such jurors as certified by the clerk of the superior court: *provided, however,* that such payments shall be made monthly. The daily fees and mileage of trial jurors in criminal actions, and the fees and mileage of trial jurors called in any action or proceedings and who are not selected to serve as jurors on the day called shall be a charge against the county".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 276—An act to add a new section to the Political Code, to be numbered section 4056*c*, relating to the power of boards of supervisors to establish and maintain public airports within their respective counties.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 246—An act to amend section 2322.47 of the Political Code, relating to the salary of the horticultural commissioner in counties of the forty-seventh class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; provided not less than three printed copies of such code or codes, in book form, have been filed with the clerk.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 95—An act to amend section 1197 of the Political Code, relating to election ballots, the manner of voting and conduct of elections.

#### AMENDMENTS FROM THE FLOOR.

During the second reading of the bill, the following amendments from the floor were offered and their adoption moved by Senator West:

##### AMENDMENT NUMBER ONE.

On ballot form numbered 2247, in line 6 of "Instructions To Voters", strike out the word "Yes" and insert in lieu thereof the word "For".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On ballot form numbered 2247, in line 6 of "Instructions To Voters", strike out the word "No" and insert in lieu thereof the word "Against".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On ballot form numbered 2247, in the column headed "Questions And Propositions Submitted To Vote Of Electors", strike out the word "Yes" in the square opposite and to the right of the proposition entitled "Senate Constitutional Amendment Number 4", and insert in lieu thereof the word "For".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On ballot form numbered 2247, in the column headed "Questions And Propositions Submitted To Vote Of Electors", strike out the word "No" in the square opposite and to the right of the proposition entitled "Senate Constitutional Amendment Number 4", and insert in lieu thereof the word "Against".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On ballot form numbered 2247, in the column headed "Questions And Propositions Submitted To Vote Of Electors", in the square entitled "For The State Highway Act", strike out the words "For The" and insert in lieu thereof the word "The".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On ballot form numbered 2247, in the column headed "Questions And Propositions Submitted To Vote Of Electors", strike out the word "Yes" in the square opposite and to the right of the proposition entitled "For The State Highway Act" and insert in lieu thereof the word "For".

Amendment adopted.



charge of the party campaign under general direction of the state central committee or of the executive committee selected by such state central committee. In any city and county containing more than ten assembly districts the county central committee of such party shall be elected by each assembly district and shall consist of five members from each assembly district in such city and county. Said county committee in such city and county shall have the power to increase its membership by a majority vote of the committee. In all counties containing five or more assembly districts the county central committee of such party shall be elected by assembly districts and shall consist of one member for each seven hundred votes or fraction thereof in each such assembly district cast for such party's candidate for governor at the last general election at which a governor was elected. In all counties containing less than five assembly districts the county central committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: The number of votes cast in such supervisor district for such party's candidate for governor at the last general election at which such governor was elected shall be divided by one-twentieth of the number of votes cast for such governor in such county; and the integer next larger than the quotient obtained by such division shall constitute the number of members of the county central committee to be elected by such party in said supervisor district. The county clerk or registrar of voters in each county or city and county shall, between the first Monday and the second Monday of June next preceding the primary election, compute the number of members of the county central committee allotted to each assembly district or supervisor district, as the case may be, by the provisions of this subdivision. Each candidate for member of a county central committee shall appear upon the ballot upon the filing of a nomination paper according to the provisions of section 5 of this act, signed in his behalf by the electors of the political subdivision in which he is a candidate, as above provided; and the number of candidates to which each party is entitled, as hereinbefore provided, in each political subdivision, receiving the highest number of votes shall be declared elected; but no candidate for county committeeman shall be declared elected unless he shall have received votes equal in number to the minimum of signatures to the nomination paper which would have been required to place his name on the primary ballot as a candidate for member of the county committee. Each county central committee shall meet in the courthouse at its county seat on the second Tuesday in September following the August primary election, and shall organize by selecting a chairman, a secretary and such other officers and committees as it shall deem necessary for carrying on the campaign of the party.

6. No person shall be eligible for appointment or election to the state, county or district committee of any party who is not registered as affiliated with such party at the time of such appointment or election. In the event of the appointment or election to any party committee of an ineligible person, or whenever any member of any such committee dies, resigns or becomes incapacitated to act, or removes from the jurisdiction of the committee, or ceases to be a member of such committee's party, a vacancy shall exist, which shall be filled by appointment by the chairman of the committee in which such ineligibility or vacancy occurs.

SEC. 2. Section 25 of said act is hereby amended to read as follows:

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 6—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "fifty-seven" and insert in lieu thereof the word "eighty".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the words "twenty-eighth" and insert in lieu thereof the words "fifty-first".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the figures "4257" and insert in lieu thereof the figures "4280".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out the figures "4257" and insert in lieu thereof the figures "4280".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 3, of the printed bill, strike out the words "twenty-eighth" and insert in lieu thereof the words "fifty-first".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out all of lines 7 to 24, inclusive, and all of pages 2, 3, 4 and 5, and insert in lieu thereof the following:

1. The county clerk, one thousand eight hundred dollars per annum and such fees as he may be by law allowed to retain; *provided*, that in counties of this class there shall be one deputy clerk who shall be appointed by the county clerk, to serve such times as may be required by the county clerk, and who shall receive a salary of fifty dollars per month, but not to exceed six hundred dollars in any one calendar year, which salary shall be paid by said county in the same manner and out of the same fund as the salary of the county clerk; *and provided*, that in any year when a new register of voters is required by law said county clerk may appoint such number of deputy clerks as may be necessary for the convenience of registration of voters, each of said deputies to receive the sum of ten cents per name for each elector registered by him whose name appears on the great register at the November election. Said sum to be paid out of the general county fund, on the presentation and filing with the board of supervisors of said county a duly verified claim therefor approved by the county clerk.

2. The sheriff, two thousand four hundred dollars per annum, and the fees or commissions for the services of all papers issued by any court of the state outside of his county, and his actual and necessary traveling expenses while executing a warrant outside of his county issued by a magistrate or court within his county and his reasonable and necessary expenses incurred in the performance of the duties of his office in criminal matters, said expenses to be allowed by the board of supervisors as other county charges are allowed; *provided*, that in counties of this class there shall be, and there is hereby allowed to the sheriff one deputy sheriff who shall be appointed by the sheriff, and who shall receive a salary of one thousand two hundred dollars per annum, which shall be paid by the county in equal monthly installments at the same time and in the same manner, and out of the same funds as the salary of the sheriff is paid.

3. The recorder, one thousand six hundred dollars per annum; *provided*, that when the amount of fees collected by said recorder in any month shall exceed the sum of one hundred dollars, the recorder may receive and retain for his own use, in addition to his salary, one-half of all fees in excess of one hundred dollars collected by him in such month.

4. The auditor, one thousand eight hundred dollars per annum and the fees or commissions now or hereafter allowed by law.

5. The treasurer, nine hundred dollars per annum and the fees or commissions now or hereafter allowed by law.

6. The tax collector, one thousand five hundred dollars per annum and the fees or commissions now or hereafter allowed by law.

7. The assessor, one thousand eight hundred dollars per annum and the fees or commissions now or hereafter allowed by law; *provided*, he shall also have two deputies for a period of four months in each year, beginning March first and ending June thirtieth, at a salary of one hundred dollars per month each; said deputies to be appointed by the assessor, and the salaries of which shall be paid by said county at the same time and in the same manner, and out of the same funds as the salary of the assessor; *provided*, that the board of supervisors shall allow the traveling expenses of the assessor and his deputies, necessarily incurred in the performance of the duties of said office, not to exceed the sum of three hundred dollars per year, to be allowed and paid as other claims against the county are allowed and paid.

8. The district attorney, one thousand five hundred dollars per annum.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, two thousand two hundred dollars per annum: *provided*, that he shall have one deputy for a period of two months in each year, during the time selected by such officer to assist in the office when the superintendent is visiting the schools of the county, at a salary of one hundred dollars per month, which office is hereby created, and the salary of which deputy shall be paid by the county at the same time and in the same manner, and out of the same funds as that of the superintendent of schools; *provided*, that the board of supervisors shall allow the traveling expenses of the superintendent of schools necessarily incurred in the performance of said office, not to exceed the sum of three hundred dollars per year, to be allowed and paid as other claims against the county are allowed and paid.

12. The surveyor, such fees as are now or may be hereafter allowed by law.

13. For the purpose of fixing the compensation of justices of the peace according to their duties, townships of this class of counties are hereby classified according to population. The population shall be determined by the board of supervisors upon the enactment of this act, and also at the time of formation of any new township or townships. The board may determine such population by multiplying by three the number of registered voters at the last general election next preceding the date of such determination.

(a) In townships having a population of five thousand five hundred and more, justices of the peace shall receive the sum of three hundred dollars per annum, payable monthly.

(b) In townships having a population of one thousand or over, the sum of three hundred dollars per annum, payable monthly.

(c) In townships having a population of less than one thousand, the sum of two hundred forty dollars per annum, payable monthly; *provided*, that in case of the county having but one township, the justice of the peace therein shall receive a salary of one thousand dollars, and may sit in all matters pertaining to his office or jurisdiction in the several localities of said township, according as public convenience may require.

The above-named salary shall be in full compensation for all services of said justices of the peace in criminal and civil cases, and when acting as coroner said justices of the peace shall be allowed and paid actual expenses, which expenses shall be audited and allowed by the board of supervisors and paid out of the county treasury. The above compensation shall be in lieu of all other fees received for services and said fees shall be accounted for to the auditor and paid into the county treasury.

The salary of the justices of the peace as herein provided for shall be paid in the same manner, at the same time, and out of the same fund as county officers are paid.

For the purpose of this subdivision the population of the several judicial townships is hereby determined to be the population of said townships as shown by the federal census taken in the year 1920.

14. Constables, each the sum of three hundred dollars per annum, which shall be paid in the manner and the same time and out of the same funds as county officers are now paid. The above compensation shall be in lieu of all other fees received for services, and said fees shall be accounted for to the auditor and paid into the county treasury.

15. Each member of the board of supervisors shall be allowed the sum of seventy-five dollars for each meeting of said board: *provided*, that no member shall be allowed to receive pay for more than twelve meetings during any one year; and the further sum of twenty cents per mile, mileage in traveling to and from his residence to the county seat; and for his services as road commissioner, he shall receive twenty cents per mile for all distances actually traveled by him in the performance of his duties within the county; *provided* he shall not in any one year receive more than six hundred dollars as such road commissioner.

16. Each member of the board of education excepting the superintendent of schools shall receive five dollars per day as compensation for his services when in actual attendance upon said board and mileage at the rate of ten cents per mile, one way only, from his residence to the place of meeting of said board. Said compensation of the members of said board shall be paid out of the same fund as the salary of the superintendent of schools. Claims for such service and mileage shall be presented to the board of supervisors and shall be allowed at the rate above named, and in the same manner as the claims against the county are allowed. The compensation of the members of the board of education herein provided for, is not in addition to that provided in section 1770 of this code.

17. In counties of this class, for attending as a grand juror or as a trial juror in a criminal case in the superior court, for each day's attendance, the fee allowed by law. Such juror shall receive his actual and necessary expense in attending as a juror as shall be determined by the court.

18. In counties of this class witnesses shall be allowed for each day's actual attendance, when legally required to attend upon the superior court in criminal cases, the fee allowed by law and his actual and necessary expenses as shall be determined by the court.



The Legislature hereby declares that the provisions of this act are not intended to and do not increase or diminish the compensation of the officers herein mentioned, but are intended to change the same to a fixed salary basis wherever a salary is provided for compensation of such officers.

The provisions of this act shall take effect ninety days after the final adjournment of the session of the Legislature which passed this act and said provisions shall be in force and apply to the present incumbent.

If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of the act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

All acts and parts of acts in conflict with this act are hereby repealed.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 716—An act to amend section 529 of the Civil Code, relating to bridge, ferry, wharf, chute and pier corporations.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out the following: "529. Every such corporation may be dissolved: If, within six months" and insert in lieu thereof the following: "529. Every such corporation which has heretofore or may hereafter be incorporated may be dissolved;

1. If within one year".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 671—An act to amend section 2322, 40 of the Political Code, relating to the salaries of county horticultural commissioners, deputies and inspectors in counties of the fortieth class.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "for" insert the word "all".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out the word "three" and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 78—An act to add a new section to the Political Code, to be numbered 1624, relating to the sale of school property by one district to another.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "real".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "real".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, strike out the word "real".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 304—An act authorizing municipal corporations to expend money for advertising or publicity purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bill No. 304 ordered on file for second reading.

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 336—An act to authorize and empower the department of institutions to grant a right of way across and through certain lands at the Pacific Colony, to the Pomona-LaVerne-Clairemont Sewer District, for the purpose of a right of way for sewer pipe—has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Senate Bill No. 336 re-referred to Committee on Public Health and Quarantine

## THIRD READING OF SENATE BILLS.

Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code, consisting of sections 350 to 350x, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states.

In the absence of the author, Senate Bill No. 159 was ordered passed on file.

Senate Bill No. 221—An act to amend section 307 of the Civil Code, excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section.

On motion of Senator Boggs, Senate Bill No. 221 was passed on file.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on the file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof.

On motion of Senator Evans, Senate Bill No. 263 was passed on file, to retain its place on file.

Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended.

On motion of Senator Crowley, Senate Bill No. 308 was passed on file.

Senate Bill No. 196—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County.

On motion of Senator Wagy, Senate Bill No. 196 was re-referred to Committee on Roads and Highways.

Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 97 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article III, embracing sections 372 to 372c, relative to a Department of Health.

On motion of Senator Swing, Senate Bill No. 793 was passed on file.

Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIh, embracing sections 367 to 367g, relating to a Department of Social Welfare.

On motion of Senator Swing, Senate Bill No. 794 was passed on file.

Senate Bill No. 564—An act to amend section 336 of the Civil Code, relating to corporations.

On motion of Senator Handy, Senate Bill No. 564 was passed on file.

Senate Bill No. 814—An act relating to intoxicating liquors, making it a felony to own, operate or knowingly possess any still used, designed or intended for the manufacture of intoxicating liquor and providing a penalty for the violation thereof.

In the absence of the author, Senate Bill No. 814 was ordered passed on file.

Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add a new section to said act to be numbered section 15a, relating to the payment of the interest due on bonds of the district.

On motion of Senator Breed, Senate Bill No. 65 was passed on file, to retain its place on file.

Senate Bill No. 70—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to

repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 71—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 71 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 72—An act to amend an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913, by providing that the surplus funds in the treasury of municipal utility districts may be invested in like manner as those of other municipal corporations mentioned in said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish



materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 278 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 143—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 143 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 68—An act to amend section 6 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add three new sections to said act to be numbered sections 6a, 6b and 6c, respectively, relating to the annexation of territory to said district, and also adding a new section to said act to be numbered section 6d, relating to the control of any existing publicly owned utility in such district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 68 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones,

Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto to be numbered section 15*b*, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security for the deposit of public funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 69 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 205—An act to cure defects in maps or plats filed for record prior to January 15, 1927, and in deeds or conveyances referring to such maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 205 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 79—An act to amend section 852*a* of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government, and relating to the compensation of officers of municipalities.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Christian moved to refer Senate Bill No. 79 to Senator Hurley, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 2, line 44, of the printed bill, strike out the word "To" and insert in lieu thereof the word "by".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 79, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, Special Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 277—An act to amend an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof and for the districting, governing and municipal control of such annexed territory," approved June 11, 1913, as amended, by amending section 9 of said act to provide for the preservation of the status of special improvement proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 303—An act authorizing municipalities to declare any accumulation of stagnant water, manure, garbage, offal, rubbish, or filthy or offensive matter of any kind upon private property within municipalities to be a public nuisance and creating a lien upon the property upon which such nuisance exists for the cost of abating the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 303 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 475 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones,

Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 266 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 355—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to State for delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 355 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 290—An act to amend section 20 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter 569 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' " approved June 3, 1921, and all amendments thereto, and adding a new section to be numbered section 6½.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 290 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 292—An act to amend section 308 of the Civil Code.  
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 292 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

#### TITLE AMENDED.

Senator Breed moved to amend the title of Senate Bill No. 292 by adding thereto the following:

#### AMENDMENT NUMBER ONE.

After the word "Code" in the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following words: "relating to officers of corporations".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Senate Bill No. 650—An act to amend section 2872 of the Political Code, relating to toll-bridges.

On motion of Senator Lyon, Senate Bill No. 650 was passed on file.

Senate Bill No. 820—An act to amend section 1387 of the Code of Civil Procedure, relating to executors and administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 820 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 821—An act to repeal section 1756 of the Code of Civil Procedure, relating to letters of guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 821 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Kline, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 137—An act to amend section 4300*g* of the Political Code, relating to witness fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 137 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray, Kline, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 238—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 238 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Jones, Ray, Kline, Maloney, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 240—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 240 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Maloney, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 472—An act to amend section 1163 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 472 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Maloney, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 473—An act to amend section 113 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 473 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Maloney, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to be numbered 14½, to article XIII of said constitution, relating to the taxation of foreign insurance corporations.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Inman moved to refer Senate Constitutional Amendment No. 3 to Senator Christian, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, strike out the word "where" and insert in lieu thereof the word "having".

##### AMENDMENT NUMBER TWO. .

On page 2, line 2, of the printed bill, strike out the words "shall be in existence".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Constitutional Amendment No. 3, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Special Committee.

Report read, and on motion of Senator Inman adopted.

Senate Constitutional Amendment No. 3 ordered to print and re-engrossment.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II $\frac{1}{2}$ , embracing sections 372 to 372g, relative to a department of public health:

Also: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to be numbered 14 $\frac{1}{2}$  to article XIII of said constitution, relating to the taxation of foreign insurance corporations;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 529 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 3, 1927, passed Assembly Bill No. 22—An act to add a new section to be numbered twenty-seven a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to the annexation of territory to sanitary districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 22 read first time, and referred to Committee on Public Health and Quarantine.

## ADJOURNMENT.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a. m., Tuesday, March 8, 1927, out of respect to the memory of the late Luther Burbank of Santa Rosa, California.



## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Tuesday, March 8, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray: Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—39.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 7, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Thomas Ridgeway, president of the California Bar Association, and Mr. Jefferson P. Chandler, past president of the California Bar Association.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Clinton J. Fuller of Lookout and Homer C. Jack of Bieber, California.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Miss W. Hobro of San Francisco.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. W. P. Howe, chairman board of supervisors of Mendocino County, and Mrs. W. P. Howe.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. R. Linn, secretary of Merced chamber of commerce, and A. R. Schottky, chairman of the Republican county central committee of Merced County.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to T. P. Wittschen of Oakland and Markell C. Baer of Oakland.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Zetta C. Walmsley, instructor, and students of Esparto Union High School, Esparto, Yolo County, as follows: C. R. Nissen, John Mezger, Joe Farnham, Arthur Mason, Tad Tandy, Tarty Brock, Clay Fiske, Wesley Haswell, Evan Lowery, Marvin Kindelt, Erwin Parker, Alice

Bourland, Margaret Gable, Grace Logan, Helen Jeness, Mable Nichols, Marjorie Rudolph, Jean Whitson, Florella Taber and Elizabeth Howlett.

# RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300), for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Kline, Maloney, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—27.

NOES—None.

# REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

By Senator Allen, N. M.:

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to provide for the governing body of any city to determine when an entire city is benefited by proposed work or improvement; to make boundary lines of improved districts co-extensive with boundary lines of such city and to make the cost and expenses of such work and improvement chargeable upon such entire district.

Request referred to Committee on Rules.

By Senator Allen, J. M.:

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend an act entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto to be numbered section 26 to provide for the dissolution of such levee districts.

Request referred to Committee on Rules.

# CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June

1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the licensing of real estate brokers and salesmen.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the words "twenty-five dollars", being the first words of the line, and insert in lieu thereof the words "five dollars, together with an examination fee of fifteen dollars, payable at the same time as the original broker's license fee".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the word "renewed" after the word "a" and insert in lieu thereof the word "renewal".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, insert after the word "original" the word "broker's".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, insert after the word "renewal" the word "broker's".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 26, of the printed bill, commencing with the word "if" after the figure (3), strike out all of the rest of line 26, all of lines 27 to 34, inclusive, and the first portion of line 35 reading "one-fourth of such annual fee".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 40, of the printed bill, add after the word "year" the words "at midnight".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 37, of the printed bill, after the word "be", strike out the words "twenty-five dollars and five dollars respectively", and insert in lieu thereof the following words: "the same as above provided".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 169—An act to add a new section to be numbered 6c to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917,

as amended, relating to assuming of obligation of guarantor by transportation companies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 170—An act to amend section 6 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to mortgages and liens on property of transportation companies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 171—An act to add a new section to be numbered 7 $\frac{1}{2}$  to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, conferring jurisdiction upon the Railroad Commission to award reparation against transportation companies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 287—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the granting of certificates of public convenience and necessity to foreign corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 125—An act to amend section 51 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 3, line 11, of the printed bill, strike out the words "with or without" and insert in lieu thereof the word "after".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 3, line 49, of the printed bill, strike out the words "with or without" and insert in lieu thereof the word "after".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 304—An act authorizing municipal corporations to expend money for advertising or publicity purposes.

Bill read second time, ordered engrossed, and on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II *i*, embracing sections 372 to 372*c*, relative to a Department of Health.

On motion of Senator Swing, Senate Bill No. 793 was passed on file, to retain its place on file.

Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II *h*, embracing sections 367 to 367*g*, relating to a Department of Social Welfare.

On motion of Senator Swing, Senate Bill No. 794 was passed on file, to retain its place on file.

Senate Bill No. 564—An act to amend section 336 of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 564 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act, relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended.

On motion of Senator Crowley, Senate Bill No. 308 was passed on file.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 956—An act to amend an act entitled "An act to provide for the gathering of data concerning teachers of California who are bound by the provisions of 'An act to provide for the payment of retirement salaries to the public school teachers of this State; creating a public school teachers' retirement salary

fund and also a public school teachers' permanent fund, providing for the administration of such funds and making an appropriation for the uses of said funds," approved June 16, 1913," approved May 22, 1925;

Also: Assembly Bill No. 957—An act to amend sections 5, 13 and 14 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Assembly Bill No. 1063—An act to amend section 9 of an act entitled "An act to regulate the sale of commercial fertilizers and materials used for manurial purposes, and providing penalties for the infraction thereof, and means for enforcement of the act," approved March 20, 1903, as amended, relating to the disposition of fees;

Also: Assembly Bill No. 1082—An act to amend an act appropriating money for the support of orphans, half orphans, and abandoned children, approved March 25, 1880, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 956, and 957 read first time, and referred to Committee on Education.

Assembly Bill No. 1063 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1082 read first time, and referred to Committee on Public Charities and Corrections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 548—An act to amend section 1583 of the Political Code, relating to joint school districts;

Also: Assembly Bill No. 633—An act to amend section 452a of the Civil Code, relating to the incorporation of mutual benefit associations;

Also: Assembly Bill No. 811—An act to amend section 1113 and 1115 Political Code, relating to the preparation of registration books;

Also: Assembly Bill No. 883—An act to cede to the United States exclusive jurisdiction over Lassen Volcanic National Park, in the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 548 read first time, and referred to Committee on Education.

Assembly Bill No. 633 read first time, and referred to Committee on Insurance.

Assembly Bill No. 811 read first time, and referred to Committee on Elections.

Assembly Bill No. 883 read first time, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following: Senate Bill No. 830—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to powers and duties of board of directors.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 830 ordered to enrollment.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 233—An act to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and, for that purpose, to construct or acquire spreading basins, sinking wells and sinking basins and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of common benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of waters therefrom; to provide for the levying and collecting of taxes and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts;

Also: Assembly Bill No. 236—An act to amend section 1362 of the Political Code, relating to the counting and disposition of absentee ballots;

Also: Assembly Bill No. 535—An act to amend section 1788 of the Code of Civil Procedure, relating to the giving of a bond of guardian before selling or encumbering the estate of a person under guardianship.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 233 read first time, and referred to Committee on Conservation.

Assembly Bill No. 236 read first time, and referred to Committee on Elections.

Assembly Bill No. 535 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 17—An act to add a new section to be numbered 7a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof," approved May 17, 1923, relating to the sanitary board;

Also: Assembly Bill No. 93—An act to amend section 2 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within state hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, defining residents and providing for deportation of non-resident indigents;

Also: Assembly Bill No. 193—An act to provide an institution for the confinement, cure, care, and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 17 read first time, and referred to Committee on Public Health and Quarantine.



Assembly Bill No. 93 read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 193 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 966—An act making an appropriation to meet a deficiency in the appropriation for support, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 967—An act making an appropriation to meet a deficiency in the appropriation for salaries, Division of Architecture, Department of Public Works, for the seventy-seventh and seventy-eighth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 598—An act to add a new section to be numbered 383a to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 598 read first time, and referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—14; absent—1.

BOGGS, Chairman.

Senate Bill No. 98 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement thereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—14; absent—1.

BOGGS, Chairman.

Senate Bill No. 148 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 348—An act to establish standards for field crop products and related agricultural products, providing for the sampling, grading, inspection and certification thereof, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing penalties for violation of the provisions hereof, making an appropriation to carry out the provisions of this act, establishing the field crops inspection fund and repealing the California Grain Standardization Act, approved June 3, 1921;

Also: Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of

this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act;

Also: Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

BOGGS, Chairman.

Senate Bills Nos. 348, 579 and 580 ordered on file for second reading.

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Rush, to introduce a bill entitled—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wag, West, and Young—33.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Rush: Senate Bill No. 847—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista.

Bill read first time, and referred to Committee on Finance.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 814—An act relating to intoxicating liquors, making it a felony to own, operate or knowingly possess any still used, designed or intended for the manufacture of intoxicating liquor and providing a penalty for the violation thereof.

On motion of Senator Jones, H. C., Senate Bill No. 814 was passed on file.

Senate Bill No. 221—An act to amend section 307 of the Civil Code, excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 221 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson,

Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Evans moved to refer Senate Bill No. 263 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 11, of the printed bill, after the word "resolution" add the following: "which must be approved by a majority vote of the taxpayers of the existing district in case of a proposed withdrawal of territory, or by a majority vote of the taxpayers of the entire new proposed district in case of a proposed annexation of territory, at an election which shall be called for such purpose by the said governing body not later than sixty days after the adoption of said resolution. Said election shall be so conducted and shall be held at such place and during such hours of the day set for the same as will in the judgment of said governing body best serve the needs and convenience of a majority of the taxpayers of said existing or proposed district, as the case may be."

AMENDMENT NUMBER TWO.

On page 6, line 12, of the printed bill, strike out the words "and thereupon" and insert in lieu thereof the following: "Thereupon".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 263, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Committee.

Report read, and on motion of Senator Evans adopted.

Bill ordered to print and re-engrossment.

RECESS.

At eleven o'clock and five minutes a.m., on motion of Senator Nelson, the President declared the Senate at recess until the hour of eleven o'clock and ten minutes a.m.

RECONVENED.

At eleven o'clock and ten minutes a.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add a new section to said act to be numbered section 15a, relating to the payment of the interest due on bonds of the district;

Also: Senate Bill No. 28—An act to amend section 46 of the "California Irrigation District Act," approved March 31, 1897, relating to the entry of the record of assessment sales and the addition of penalties to assessments upon redemption;

Also: Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors;

Also: Senate Bill No. 134—An act to add a new section to be numbered 4235m to the Political Code, relating to the sheriff's special fund;

Also: Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended:

Also: Senate Bill No. 177—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax:

Also: Senate Bill No. 184—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors:

Also: Senate Bill No. 276—An act to add a new section to the Political Code, to be numbered section 4056c, relating to the power of boards of supervisors to establish and maintain public airports within their respective counties:

Also: Senate Bill No. 246—An act to amend section 2322r47 of the Political Code, relating to the salary of the horticultural commissioner in counties of the forty-seventh class:

Also: Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects: *provided* not less than three printed copies of such code or codes, in book form, have been filed with the clerk:

Also: Senate Bill No. 20—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters:

Also: Senate Bill No. 24—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers:

Also: Senate Bill No. 500—An act to add a new section to the Political Code to be numbered 1607b, relating to the powers and duties of governing boards of school districts:

Also: Senate Bill No. 193—An act to amend the Political Code, by adding thereto a new section, to be numbered 1894, relating to the sale of school supplies by one district to another:

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

In re: Resolution, Inspector of Apiaries.

On motion of Supervisor Mitchell, seconded by Supervisor Jeffrey, and duly adopted by the Board of Supervisors of Orange County, California, the following resolution was adopted at a regular meeting of said board on February 23, 1927:

*Resolved*, That the Board of Supervisors of Orange County, California, is opposed to the adoption of Assembly Bill No. 298 and is opposed to any legislation modifying the present law, relative to appointment of inspectors of apiaries and the control of apiaries and the protection of bee culture; it is further

*Resolved*, That the member of the Assembly from this district and the member of the State Senate from this district be furnished with copies of this resolution and urged to oppose the aforesaid Assembly bill and any change in the present law relating to apiaries and bee culture.

The foregoing is a true copy of a resolution adopted by the Board of Supervisors of Orange County, California, at its meeting on February 23, 1927.

[SEAL]

J. M. BACKS,

County Clerk and ex officio Clerk of the Board of Supervisors.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add a new section to said act to be numbered section 15a, relating to the payment of the interest due on bonds of the district.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 65 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagv, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 650—An act to amend section 2872 of the Political Code, relating to toll-bridges.

Bill read third time.

On motion of Senator Crowley, duly seconded by Senator Fellom, Senate Bill No. 650 was ordered to print, and re-referred to Committee on Judiciary.

#### POINT OF ORDER.

Senator Lyon raised the point of order that the motion to re-refer the bill to committee was not in order.

#### DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order not well taken.

Senate Bill No. 28—An act to amend section 46 of the "California Irrigation District Act," approved March 31, 1897, relating to the entry of the record of assessment sales and the addition of penalties to assessments upon redemption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 28 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagv, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 173 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagv, Weller, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 134—An act to add a new section to be numbered 4235m to the Political Code, relating to the sheriff's special fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 134 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Murphy moved to refer Senate Bill No. 513 to Senator Crowley, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, strike out the words "after becoming fifty-five years of age".

##### AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, strike out the words "irrespective of age" and insert in lieu thereof the following: "after becoming fifty-five years of age".

##### AMENDMENT NUMBER THREE.

On page 2, lines 6 and 7, of the printed bill, strike out the word "continuous" and insert in lieu thereof the word "consecutive".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 513, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Special Committee.

Report read, and on motion of Senator Murphy adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 177—An act to amend section 3566 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 177 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 184—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 184 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### WITHDRAWAL OF BILL.

Senator Inman asked and was granted unanimous consent to withdraw Senate Bill No. 533 from Committee on Revision of Criminal Law and Procedure, and re-refer it to Committee on Judiciary.

Senate Bill No. 246—An act to amend section 2322.47 of the Political Code, relating to the salary of the horticultural commissioner in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 246 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; provided, not less than three printed copies of such code or codes, in book form, have been filed with the clerk.

On motion of Senator Kline, Senate Bill No. 247 was passed on file.

Senate Bill No. 276—An act to add a new section to the Political Code to be numbered section 4056c, relating to the power of boards of supervisors to establish and maintain public airports within their respective counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 276 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 20—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 20 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 24—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 24 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 509—An act to add a new section to the Political Code to be numbered 1607*b*, relating to the powers and duties of governing boards of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 509 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Senate Bill No. 193—An act to amend the Political Code, by adding thereto a new section to be numbered 1894, relating to the sale of school supplies by one district to another.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 193 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Muehler, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT, AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation;

Also: Senate Bill No. 575—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of certain actions or proceedings to which a county, city and county, city or public corporation or district is a party;

Also: Senate Bill No. 493—An act to add a new section to the Political Code to be numbered 1731a, relating to schools;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

##### ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Manufactures, to which was referred Senate Bill No. 34—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3; noes—1; did not vote—1.

TUBBS, Chairman.

Senate Bill No. 34 ordered on file for second reading.

##### ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 322—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, as amended, by adding thereto a new section to be numbered 15b, which section relates to the furnishing of bonds by certain officers and employees of building and loan associations;

Also: Senate Bill No. 323—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642b, relating to the investment of moneys with building and loan associations;

Also: Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations;

Also: Senate Bill No. 340—An act to amend the Penal Code by adding a new section to be known as section 563c, thereto, relating to offenses against or concerning building and loan associations and prescribing penalties for violation of the provisions of the act;

Also: Senate Bill No. 432—An act to amend section 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations;

Also: Senate Bill No. 433—An act to amend section 634 of the Civil Code of the State of California, relating to the issuance of shares and investment certificates of building and loan associations and relating to the creation of a reserve fund; selection of directors and fees chargeable by such associations;

Also: Senate Bill No. 434—An act to amend section 647 of the Civil Code of the State of California, relating to building and loan associations;

Also: Senate Bill No. 436—An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the Building and Loan Commissioner of the State of California in accordance with the provisions of title XVI, part IV, division I of the Civil Code, legal investments for certain purposes;

Also: Senate Bill No. 437—An act to add a new section to the Code of Civil Procedure to be numbered 1454a, relating to the collection of money by heirs;

Also: Senate Bill No. 438—An act to amend section 641 of the Civil Code, relating to guarantee stock dividends and reserve fund of building and loan associations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

JOHNSON, Chairman.

Senate Bills Nos. 322, 323, 338, 340, 432, 433, 434, 436, 437 and 438 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 435—An act to amend sections 2 and 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relating to the salaries and expenses of the Building and Loan Commission and the building and loan inspection fund;

Also: Senate Bill No. 813—An act to amend section 633 of the Civil Code, relating to building and loan associations;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—5; committee vote: Ayes—4; absent—1.

JOHNSON, Chairman.

Senate Bills Nos. 435 and 813 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 93—An act to amend section 873 of the Code of Civil Procedure, relating to trials in justices' courts;

Also: Senate Bill No. 273—An act to add a new section, to be numbered 956a, to the Code of Civil Procedure, relating to remedial powers of the appellate courts;

Also: Senate Bill No. 324—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and the creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18b thereof, relating to inclusion of territory by municipalities;

Also: Senate Bill No. 500—An act to amend sections 983, 984 and 985 of the Code of Civil Procedure and to add nine new sections to said code to be numbered respectively 986, 987, 988, 988a, 988b, 988c, 988d, 988e, 988f, 988g, and 988h, relating to appeals from municipal courts;

Also: Senate Bill No. 742—An act to amend section 548 of the Code of Civil Procedure, relating to property under attachments;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, H. C., Chairman.

Senate Bills Nos. 93, 273, 324, 500 and 742 ordered on file for second reading.

#### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 2, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 360—An act to amend the "California Water Storage District Act" approved June 3, 1921, as amended by amending the title to said act, and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 34, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19a, and relating to the reapportionment of assessments in case of the subdivision of lands by adding

nineteen new sections to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q, and 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators, to act as owners of title or evidence of title—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 360 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 212—An act to add a new section to the Code of Civil Procedure, to be numbered 1770a, relating to the management of the estate of an incompetent ward, and to expenditures that may be made therefrom;

Also: Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof: Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they be amended, and re-referred to this committee.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, H. C., Chairman.

Senate Bills Nos. 212 and 645 ordered on file for second reading.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 575—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party.

On motion of Senator Jones, H. C., Senate Bill No. 575 was passed on file.

Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation.

On motion of Senator Sharkey, Senate Bill No. 294 was passed on file.

Senate Bill No. 493—An act to add a new section to the Political Code to be numbered 1731a, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 493 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## SECOND READING OF SENATE BILLS—(OUT OF ORDER).

## CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED EIGHTY.

Senator Jones, H. C., asked for and was granted unanimous consent to take up, at this time, Senate Bill No. 580 for the purpose of amending.

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California fruit and vegetable standardization act," approved May 23, 1925.

Bill read second time.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the word "figs".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 4, line 48, of the printed bill, correct the spelling of the word "sub-containers".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 5, line 7, of the printed bill, before the word "fruits", insert the words "fresh or dried".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, between lines 41 and 42, insert the following:

"(18A) Standard artichoke box-----	9½	11	22
(18B) Half artichoke box-----	4½	11	22"

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, between lines 48 and 49, insert the following:

"(25A) Standard artichoke lug-----	8½	14	24"
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Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 6 of the printed bill, between lines 3 and 4, insert the following:

"(29A) Half lemon box-----	5	13	27"
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Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, between lines 4 and 5, insert the following:

"(30A) Half jumbo lemon box-----	5 9/16	13½	27"
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Amendment adopted.



## AMENDMENT NUMBER EIGHT.

On page 6, lines 22 and 23, of the printed bill, strike out the words "twenty-six, twenty-six *a*, twenty-seven and twenty-eight" and substitute in lieu thereof the figures "26, 26A, 27 and 28".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 6, line 26, of the printed bill, strike out the words "twenty-nine" and "thirty" and substitute in lieu thereof the figures "29, 29A, 30 and 30A".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 6, lines 30 and 31, of the printed bill, strike out the words "nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four and twenty-five" and substitute in lieu thereof the figures "19, 20, 21, 22, 23, 24 and 25".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 6, line 40, of the printed bill, before the word "fruits" insert the words "fresh or dried".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 6, line 41, of the printed bill, before the word "fruits" insert the word "such".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 7, line 44, of the printed bill, strike out the word "of" and substitute in lieu thereof the word "or".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 8, lines 29 and 30, of the printed bill, strike out the words "four, five, six, seven, twenty or twenty-three" and substitute in lieu thereof the figures "4, 5, 6, 7, 20 or 23".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 8, line 47, of the printed bill, strike out the period and in lieu thereof insert a semicolon and the following: "*provided, further*, that no part of this tolerance shall be allowed for immature avocados".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 8, after line 50, of the printed bill, add the following paragraph:  
"The percentage of serious defects in any bulk lot of avocados may be established by inspection of representative sample, which shall consist of not less than one hundred fruits selected at random."

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 9, lines 4 to 9, inclusive, of the printed bill, strike out the paragraph and in lieu thereof substitute the following:

Avocados shall not be considered mature when the edible portion shows an oil content of less than eight per cent, by weight, by chemical analysis.

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 9, line 30, of the printed bill, after the word "shall" insert the word "have".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 11, lines 17 and 18, of the printed bill, strike out the words "three, nine, ten, eleven, twelve, fourteen, nineteen or twenty-three" and insert in lieu thereof the figures "3, 9, 10, 11, 12, 14, 19 or 23".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 11, line 19, of the printed bill, strike out the words "eleven and twelve" and in lieu thereof substitute the following figures: "11 and 12".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 35, of the printed bill, strike out the word "and" and in lieu thereof substitute the word "or".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-TWO.

On page 11, line 48, of the printed bill, strike out the word "or" and in lieu thereof insert the word "of".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 12, of the printed bill, strike out the figure "15" and in lieu thereof substitute the word "fifteen".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 49, of the printed bill, strike out "29 or 30" and in lieu thereof insert the following: "29, 29A, 30 or 30A".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FIVE.

On page 13, line 18, of the printed bill, strike out the words "and east".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SIX.

On page 13, line 19, of the printed bill, between the word "county" and the comma insert the following: "and east of the Sierra Nevada range".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 13 of the printed bill, between the words "Olivette de Vendemia" in line 32 and "Persian 23" in line 33, insert the word "Palomino".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 14 of the printed bill, insert the words "Black Corinth" before the words "Black Ferrara" in line 2.

Amendment adopted.

## AMENDMENT NUMBER TWENTY-NINE.

On page 14, line 24, of the printed bill, strike out the word "Palomino".

Amendment adopted.

## AMENDMENT NUMBER THIRTY.

On page 14, line 25, of the printed bill, correct the spelling of the word "Elbling".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-ONE.

On page 15, line 37, of the printed bill, after the word "the" insert the words "five per cent".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-TWO.

On page 15, line 38, of the printed bill, strike out the words "excepting that" and in lieu thereof insert the word "but".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-THREE.

On page 21, line 25, of the printed bill, strike out the words "twenty-four, twenty-five, thirty-eight or thirty-nine," and in lieu thereof substitute the figures "24, 25, 38 or 39".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-FOUR.

On page 21, lines 26, 27 and 28, of the printed bill, strike out the words "one, four, five, six, seven, twenty, twenty-one, twenty-two or twenty-three" and in lieu thereof substitute the figures "1, 4, 5, 6, 7, 20, 21, 22 or 23".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-FIVE.

On page 21, line 28, of the printed bill, before the word "provided" insert the following: "provided that containers numbers 20, 21, 22 and 23 shall be standard for grapes only when used without cleats, or when used with a cleat or cleats on each end not to exceed a total height of eleven-sixteenths of an inch;"

Amendment adopted.

## AMENDMENT NUMBER THIRTY-SIX.

On page 22, lines 30 and 31, of the printed bill, strike out the words "one, five, six, seven, fourteen, fifteen, sixteen, seventeen or twenty-three," and in lieu thereof substitute the figures "1, 5, 6, 7, 14, 15, 16, 17 or 23".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-SEVEN.

On page 23, line 18, of the printed bill, strike out the paragraph from lines 18 to 23, inclusive.

Amendment adopted.

## AMENDMENT NUMBER THIRTY-EIGHT.

On page 28, of the printed bill, after line 22 add the following section:

SEC. 29*a*. Globe artichokes, when being packed or placed in any container, or after packing, or when delivered for shipment, loaded, shipped, or being transported, offered for sale or sold in any container, shall conform to one of the following standards:

Standards for Globe Artichokes. Fancy Globe Artichokes. Fancy Globe artichokes shall be properly trimmed, free from colored blossoms, insect larvæ, insect injury, mold, decay, and from damage caused by freezing, bruising, snails, and other means, and in the case of packed artichokes shall be virtually uniform in size: *provided*, that not more than ten per cent, by count, of the artichokes in any one container may be below these requirements, but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause.

Unclassified Globe Artichokes. Unclassified Globe artichokes shall be free from insect larvæ and insect injury, mold, decay, and from serious damage caused by freezing, and in the case of packed artichokes shall be virtually uniform in size: *provided*, that not more than ten per cent, by count, of the artichokes in any one container may be below these requirements, but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause.

Properly trimmed means that the stems shall show a clean cut and be not over one and one-half inches in length.

Damage caused by freezing or bruising shall mean that part or all of the bud is distinctly darkened or discolored.

Serious damage caused by freezing means that the stem or heart of the artichoke shows discoloration due to freezing.

Virtually uniform in size shall mean, in the case of packed Globe artichokes, a variation of not more than three-fourths of an inch in diameter, when measured through the widest portion of cross section between the artichokes in any one container.

**Standard Pack for Globe Artichokes.** Globe artichokes, when packed, or after packing, or when shipped, delivered for shipment, offered for sale or sold as a standard pack, shall be tightly packed with a bulge and shall have a minimum net weight of thirty-five pounds in a standard box. There shall be approximately the same numerical count of uniformly sized Globe artichokes in each layer throughout the container. The following sizes may be put up as standard packs in the standard box:

- Size 1. Packed with not more than sixty artichokes.
- Size 2. More than sixty but not more than seventy-five artichokes.
- Size 3. More than seventy-five but not more than ninety-six artichokes.
- Size 4. More than ninety-six but not more than one hundred twenty-five artichokes.

Size 5 shall constitute a standard pack in the standard half box only and shall pack not more than one hundred twenty-five artichokes in this container.

**Marking Requirements.** In addition to the markings required by section 9 of this act, all containers of Globe artichokes, when packed, shall be plainly and conspicuously stamped or stenciled on the outside thereof, in figures not less than one-half inch in height, with the number of artichokes contained therein; *provided*, that the contents may vary not more than five artichokes from the count as marked.

Each container of Globe artichokes which meet the requirements for fancy Globe artichokes, as established above, may be marked "Fancy" or with any other proper designation of quality or grade; *provided*, that each container of Globe artichokes which fails to meet the requirements of fancy Globe artichokes, but which meets the requirements for unclassified Globe artichokes, shall be plainly and conspicuously marked, in letters not less than one-half inch in height, with the word "unclassified," and shall bear no other term designating quality or grade.

Containers in which Globe artichokes are not packed to conform with the requirements for the standard pack established above shall be plainly and conspicuously marked, in letters not less than one-half inch in height, "irregular pack."

**Standard Containers.** Packed Globe artichokes shall be in standard containers numbers 18A, 18B or 25A, established in section 11 of this act; *provided*, that other sized containers may be used if conspicuously marked in letters not less than one-half inch in height "irregular container". No standard containers are established for Globe artichokes which are not packed.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-NINE.

On page 29, of the printed bill, after line 25, add the following section:

**SEC. 30a. Carrots.** Carrots, when being packed, or placed in any container, or after packing, or when delivered for shipment, loaded, shipped, or being transported, offered for sale or sold in any container, shall conform to the following standard:

**Standard for Carrots.** Carrots shall be fairly well formed, free from decay, insect injury, unhealed growth cracks, and from serious damage caused by green discoloration, diseases, mechanical or other means, and when bunched shall be virtually uniform in size; *provided*, that not more than ten per cent, by weight, of the carrots in any container may be below these requirements, but not more than a total of 5 per cent, by weight, shall be allowed for decay.

Carrots shall not be considered fairly well formed if doubles or other misshapen condition cause a waste of ten per cent, by weight, of the edible portion.

"Serious damage caused by green discoloration" shall mean a green color on more than fifteen per cent of the length of any carrot.

"Virtually uniform in size" shall mean, in the case of bunched carrots, a variation of not more than one-half of an inch in diameter, when measured through the widest portion of cross section, between the carrots in any one bunch.

**Marking Requirements.** In addition to the markings required by section 9 of this act, which shall be placed on all containers of carrots, all containers of bunched carrots shall be plainly and conspicuously stamped or stenciled on the outside thereof, in figures not less than one-half inch in height, with the number of bunches contained therein.

**No Standard Containers.** No standard containers are established by this act for carrots.

### Amendment adopted.

#### AMENDMENT NUMBER FORTY.

On page 5, line 9, of the printed bill, before the word "nothing" insert the following sentence: "This provision shall be construed to prohibit the repeated use of any container or sub-container of fruits, nuts or vegetables, bearing any markings required by this act, or any designations of brand, quality or grade, unless all such mark-



ings which do not properly and accurately apply to the products repacked or replaced therein shall first be completely removed, erased or obliterated."

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-ONE.

On page 22, line 42, of the printed bill, between the word "cuts" and the comma insert the words "or skin breaks".

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-TWO.

On page 22, line 4, of the printed bill, after the word "fruit", add the following sentence: "Superficial thrip marks which do not cover more than five per cent of the surface of any peach shall not be considered as insect injury."

### Amendment adopted.

Bill ordered to print, engrossment, and to retain its place on second reading file.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption; Also: Senate Bill No. 155—An act to amend section 274 of the Code of Civil Procedure, relating to fees of court reporters;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—14; committee vote: Ayes—9; absent 5.

JONES, H. C., Chairman.

Senate Bills Nos. 154, and 155 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 841—An act to amend section 97 of the Code of Civil Procedure, relating to salaries of justices of the peace in cities and counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—9; absent 5.

JONES, H. C., Chairman.

Assembly Bill No. 841 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 61—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act;

Also: Senate Bill No. 175—An act to amend section 2, 3, 4, powers and duties of the board, 11 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board of pharmacy," approved March 20, 1905, as amended March 21, 1907, April 21, 1909, and May 27, 1915;

Also: Senate Bill No. 336—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony, to the Pomona-La Verne-Clermont Sewer District, for the purpose of a right of way for sewer pipes;

Also: Senate Bill No. 719—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, April 21, 1909, and May 27, 1915;

Also: Senate Bill No. 99—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they be re-referred to Committee on Public Health and Quarantine.

Committee membership—11; committee vote: Ayes—8; absent—3.

CROWLEY, Chairman.

#### SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 61—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, beginning with "(d)" strike out the entire paragraph, and insert in lieu thereof the following:

"(d) The word 'electrologist' is defined as any person who, for compensation, engages in the occupation of removing superfluous hair from the body of any person by the use of the electric needle only; and the word 'manicurist' is defined as any person who for compensation engages only in the occupation of manicuring the nails of any person."

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 28 and 29 and insert in lieu thereof the following:

"Sec. On and after the first day of October, 1927, every person, firm or corporation who shall conduct or".

**Amendment adopted.**

##### AMENDMENT NUMBER THREE.

On page 2, lines 33 and 34, of the printed bill, strike out the following: "or for any person to" and insert in lieu thereof the following: "and every person who shall".

**Amendment adopted.**

## AMENDMENT NUMBER FOUR.

On page 2, lines 36 and 37, of the printed bill, after the word "cosmetology", strike out the semicolon, insert in lieu thereof a comma and add the following: "shall be guilty of a misdemeanor punishable by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment for a term of not less than fifty days or not more than one hundred eighty days, or by both such fine and imprisonment."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 49, of the printed bill, strike out the words "residing in different counties of the state,".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 4, line 44, of the printed bill, strike out the word "itemized".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 4, line 45, of the printed bill, beginning with the word "together" strike out to and including the word "act."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 5, of the printed bill, strike out lines 11 to 17, both inclusive.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 5, line 34, of the printed bill, strike out the words "of legal age" and insert in lieu thereof "not less than eighteen years of age;".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 5, line 43, of the printed bill, strike out the words "not more than two cosmetological establishments" and insert in lieu thereof the words "in a cosmetological establishment".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 6, line 1, of the printed bill, strike out the words "not more than two cosmetological establishments" and insert in lieu thereof the words "in a cosmetological establishment".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 6, line 11, of the printed bill, strike out the words "shall have attained the legal age" and insert in lieu thereof "are not less than eighteen years of age".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 6, line 25, of the printed bill, strike out the words "shall have attained the legal age" and insert in lieu thereof "are not less than eighteen years of age".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 6, line 39, of the printed bill, strike out the words "shall have attained the legal age" and insert in lieu thereof "are not less than eighteen years of age".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 9, line 3, of the printed bill, strike out the words "of legal age" and insert in lieu thereof "not less than eighteen years of age".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 9, line 10, of the printed bill, after Sec. 12, insert the following:

Sec. 12a. Nothing in this act shall permit the use of any X-ray machine in the treating of the scalp or in the removal of superfluous hair or permit the local application of carbolic acid (phenol) in a solution or mixture of more than ten per cent or corrosive sublimate (mercury) or its preparation or derivatives or compounds in a stronger solution or preparation than one to five hundred. Violations of the provision of this section shall constitute a misdemeanor, punishable as provided in section 3 hereof.

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 10, line 21, of the printed bill, after the word "osteopathy" insert the words "chiropractic, naturopathy".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 10, line 25, of the printed bill, strike out the words "licensed or registered".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 10, line 28, of the printed bill, after the word "dressing" add the words "curling and waving".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 12, line 15, of the printed bill, after the word "purposes" begin a new sentence to read as follows: "Violations of the provision of this section shall constitute a misdemeanor, punishable as provided in section 3 hereof."

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 12 of the printed bill, strike out lines 16 to 52, inclusive, and insert in lieu thereof the following:

The board shall not issue, or having issued, shall not renew, or may revoke, or suspend at any time any license as required by the provisions of section 3 hereof in any one of the following cases: (a) Failure of a person, firm or corporation operating a cosmetological establishment to comply with the requirements of this act; (b) failure to comply with the sanitary rules, adopted by the board and approved by the state board of health, for the regulation of cosmetological establishments, schools of cosmetology, or the practice of the occupations of a hairdresser and cosmetician; (c) obtaining practice in cosmetology, or any branch thereof, or money, or any other thing of value, by fraudulent misrepresentation; (d) gross malpractice; (e) continued practice by a person knowingly having an infectious or contagious disease; (f) habitual drunkenness, or habitual addiction to the use of morphine or any habit-forming drug; (g) advertisement by means of knowingly false or deceptive statements; (h) permitting a certificate of registration or license to be used where the holder thereof is not personally, actively and continuously engaged in business; (i) failure to display the license, as provided in section 19 of this act; (j) or for any other unfair or unjust practice, method or dealing which in the judgment of the board may justify such action; *provided, however,* that the said board shall not refuse to issue or renew any license as required by the provisions of section 3 hereof, or revoke or suspend any such license already issued, except upon twenty days' notice in writing to the interested parties, which notice shall contain a brief statement of the reasons for the contemplated action of the board and designate a proper time and place for the hearing of all interested parties before any final action is taken as hereinabove provided; *provided, however,* that due notice within the provisions of this section shall be deemed to have been given when the board shall have placed in a United States post office a copy of the notice as hereinabove provided, addressed to the designated or last known residence of the person applying for such license or to whom such license has already been issued; *provided, further,* that any such person, firm, or corporation whose license to do business as herein provided is revoked or suspended, or who is refused a license, or any renewal of a license already issued, or any such practitioner whose license is revoked or suspended or who is refused a license, or a renewal of a license already issued may commence an action in a court of competent jurisdiction against the state board of cosmetology for the



purpose of cancelling or obtaining other relief from the act of the said board. All the provisions of the Code of Civil Procedure relating to pleadings, proofs, trials and appeals shall be applicable to such action.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 13 of the printed bill, beginning with line 29, strike out all of the remaining portions of the bill and insert in lieu thereof the following:

If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 11, line 2, of the printed bill, strike out the words "two hundred fifty dollars" and insert in lieu thereof "one hundred twenty-five dollars".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

In section 11, page 8, line 1, of the printed bill, strike out the words "one year" and insert in lieu thereof "six months".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 175—An act to amend sections 2, 3, 4, powers and duties of the board, 11 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board of pharmacy," approved March 20, 1905, as amended March 21, 1907, April 21, 1909, and May 27, 1915.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 36, of the printed bill, strike out the word "which" and strike out all of lines 37 and 38 and insert in lieu thereof: "in pharmaceutical work which includes nine hundred hours of laboratory work predominantly to pharmaceutical chemistry for graduation".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 41, of the printed bill, following the figure "5" strike out the comma and insert in lieu thereof the word, "and", and on line 42 strike out "and Class 7".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 46, of the printed bill, after the words "satisfaction of" add the words "and before".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out all of lines 19 to 39, inclusive, and insert in lieu thereof the following:

Class three. Registration as a licentiate in pharmacy shall be granted to any person otherwise qualified as provided in section 2 herof; who shall have passed a written examination to the satisfaction of and before the California state board of

pharmacy, who shall have had five years' pharmaceutical experience as defined by section 3 of this act, who shall have been registered as a licentiate in pharmacy or a registered pharmacist and actually engaged in the practice of pharmacy and in lieu of not having been a graduate of a school or college of pharmacy or department of pharmacy of a university and in good standing in another state or territory of the United States, or the District of Columbia, before January 1, 1928, for a period of not less than five years previous to his or her application for registration; *provided, further*, that after January 1, 1933, he or she must be a graduate of a school or college of pharmacy, or a department of pharmacy of a university recognized by the California state board of pharmacy.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 40, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 50, of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 8, of the printed bill, strike out the figure "7" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, of the printed bill, strike out all of lines 9 to 25, inclusive, and insert in lieu thereof the following:

Sec. 4. Section 7 of said act is hereby amended to read as follows:

Sec. 7. Four members of the board shall constitute a quorum. They shall hold a meeting at least once in every four months.

Subdivision one. The state board of pharmacy shall have power:

(a) To make such by-laws and regulations, not inconsistent with the laws of this state, as may be necessary for the protection of the public, appertaining to the practice of pharmacy and the lawful performance of its duties.

(b) To regulate the practice of pharmacy.

(c) To regulate the sale of poisons.

(d) To regulate the quality of all pharmaceutical prescriptions and medicines dispensed or sold in this state, using the United States Pharmacopoeia or National Formulary as the standard.

(e) To investigate all complaints as to the quality and strength of all pharmaceutical preparations and medicines, and to take such action as may be necessary to prevent the sale of such as do not conform to the standard and tests prescribed in the latest edition of the United States Pharmacopoeia or National Formulary.

(f) To employ inspectors of pharmacy and to inspect during business hours all pharmacies, dispensaries, stores, or places, in which drugs, medicines and poisons are compounded, dispensed or retailed, and to cause the prosecution of all persons whenever there appears to the board to be reasonable ground for such action.

(g) To examine and register all pharmacists and assistant pharmacists and all applicants whom it shall deem qualified to be such. All persons applying for registration under this act shall pay the following fees therefor to the secretary of the board of pharmacy: every applicant for registration, other than that of apprentice, shall pay a fee of ten dollars on filing his or her application, which shall be compensation to the board of pharmacy for investigation or examination of the applicant; and if the board finds that any applicant for registration on experience and credentials is entitled to be registered, then he or she shall pay an additional fee of fifteen dollars upon the issuance of certificate of such registration; and any licentiate found by the board on examination to be entitled to a certificate shall pay the additional sum of five dollars upon the issuance of certificate; all applicants for examination as assistant, if found satisfactory by the board, shall be entitled to their certificate without further fee; *and provided, further*, that an applicant for registration on experience and credentials may at his or her option be examined as a licentiate without further fee for application.

(h) In the event any person having registered shall have lost his or her certificate, or the same has been destroyed, if he or she desires the renewal of the same, a new certificate may be issued by said board upon the applicant paying therefor the sum of three dollars; *provided, further*, that when the original certificate is not lost or destroyed, then the certificate shall be surrendered before a renewal of the

same shall be issued; and *provided, further*, that the board shall have power to require satisfactory evidence from the applicant of the loss or destruction of the certificate; and, *provided, further*, that where the applicant is delinquent for the annual dues required by this act then he or she shall be required to pay to said board sufficient fees to cover his delinquency in that behalf before he or she shall be entitled to a reissue of the certificate in this subdivision provided for.

(i) To provide by proper rules and regulations for the revocation by said board of licenses issued under the provisions of this act, whenever the holder of such license shall be guilty of habitual intemperance or addicted to the use of narcotic drugs, or shall have been convicted of a felony.

(j) Shall issue to each applicant granted registration as a licentiate in pharmacy in accordance with the provisions of this act, a signed certificate under the seal of the California state board of pharmacy.

(k) Shall issue to each applicant granted registration as an assistant pharmacist in accordance with the provisions of this act, a signed certificate under the seal of the California state board of pharmacy.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 336—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony, to the city of Pomona for the Pomona-La Verne-Clairemont outfall sewer for the purpose of a right of way for sewer pipes.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 3, of the title of the printed bill, after the second word "the" add the following: "city of Pomona for the".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 4, of the title of the printed bill, before the word "sewer" insert the following: "out-fall".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

In line 4, of the title of the printed bill, strike out the word "district".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 2, of the printed bill, after the word "the" add the following: "city of Pomona for the".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 1, line 3, of the printed bill, after the word "Clairemont" add the word "out-fall".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 1, line 3, of the printed bill, strike out the word "district".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 2, line 5, of the printed bill, strike out the words "sewer district" and insert in lieu thereof the word "city".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 719—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, April 21, 1909, and May 27, 1915.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the words "no other" and the comma.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, after the word "saltpeter" strike out the period, insert a comma in lieu thereof, and add the following: "and such other remedies or drugs as the board may from time to time designate."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 99—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, strike out the period and insert in lieu thereof the following: "except that persons included in sub-division (d) hereof shall be allowed to cut the hair".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended relating to the ownership of pharmacies or drug stores.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:



## AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the period following the word "pharmacy" and add the following, "except as hereinafter provided."

## Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 142—An act to amend section 39 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 142 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to poll lists and tally lists, to add a new section 1174a to the Political Code, relating to roster and poll lists, and to repeal section 1229 of the Political Code:

Also: Assembly Bill No. 304—An act to amend section 23 of an act entitled "An act creating a state commission on voting machines, defining their powers and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to the use of voting machines:

Also: Assembly Bill No. 315—An act to amend section 24 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended:

Also: Assembly Bill No. 384—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to State for delinquent taxes:

Also: Assembly Bill No. 561—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks and the weight thereof be included as a part of the net weight of grain sold or purchased, providing for the payment for sacks as a part of the purchase price of grain sold or purchased, making it the duty of the Department of Agriculture of the State of California to enforce the provisions thereof and providing a penalty for a violation of the provisions thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 303 and 304 read first time, and referred to Committee on Elections.

Assembly Bill No. 315 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 384 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 561 read first time, and referred to Committee on Agriculture and Live Stock.

## ADJOURNMENT.

At twelve o'clock and fifty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, March 9, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, March 9, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Pitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 8, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Nathan Newby of Los Angeles.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. S. W. Hopkins of Lodi, Past State Commander, Grand Army of the Republic.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Fred J. Beattie, Hon. Jack Been and Hon. Sidney T. Graves, supervisors of Los Angeles.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Manley S. Harris of San Francisco.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Fred Sweetser of Novato, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Rodney E. Messner of San Rafael.

On request of Senator Allen, N. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to D. D. Heagerty of Maricopa, State President of Fraternal Order of Eagles.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. H. Kirkpatrick, secretary of the chamber of commerce of Ukiah, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge George E. Waldo of Pasadena, California.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the pupils of the Lincoln school, as follows: Eighth grade—Melvin Anderson, Donald Arndt, Meiko Asazawa, Robert Bannister, Charles Beekman, Ira Briggs, Vernon Brown, Leonard Click, Amelia Fransoza, Annie Geffray, Albert Hansen, Otto Jarstad, Evelyn Jordan, Charles Lappens, Paul Madsen, William Madsen, Frank Mazzoni, Frederick Newcomb, Corina Padilla, Clara Price, Adolfo Rivas, Josephine Rivera, Wenonah Schuler, Vivilyn Sparks, Woodrow Stephenson, Jack Tofft, Frederick Wind, Eleanor Whitford, Marian Williams, Woodrow Wyatt, Francis Murch; seventh grade pupils, who are guests of eighth grade civics class: Janis Schroeder, Mary Perry, Edward Grey, Virgil Smith; and Mrs. L. Kerl Wenecker, eighth grade teacher; Mrs. Mary Beerman, clerk Lincoln grammar school; Mr. L. F. Beauleugh, transportation supervisor; Karl O. Bayless, principal Lincoln grammar school, in charge of group; and pupils of the Auburn grammar school, eighth grade, as follows: Melvin Richardson, Carrol Phelps, Lawrence Pressley, John Russell, Edward Davis, Milton Atwood, Ethel Holmes, Beatrice Brundage, Janice Hesser, Evelyn Slade, Robert Clegg, Randall Leonard, Edward Wilcoxon, Evelyn Sing, Jaretta Huckaby, Lynford Lardner, Allen Huckaby, Elaine Flemming, Eugene Carmossi, Andred Dorer, Irma Johnson, Lena Horath, Forrest Claussen, Edwin Hughes, Lester Russell, Elmer Philbert, Pat Hurley, John Vanderbilt, Howard Joseph, Joe Souza, Alex Bellis, Norman Allen, Ugo Paron, Satori Taoru, Lewis Threlkel, Elsie Nelson, Madelyn Jones, Alice Ludwig, Frances Eason, Tracy Minton, Eleanor Lukens, Audrey Roberts, Valeda Rice, Eileen Norman, Mildred Hulbert, Esther Snodderly, Marcella Margaroli, Salina Dooley, Elda Trumbo, Catherine Sullivan, Elizabeth Holt, Bill Samuelson, Velma Copeland, Lorraine Sweet, Isami Fujitami, Lloyd Wahler, Edwin Hughes, Alice Nunes, Margaret Cory, Elsie Nelson, Josephine Taylor, and Benton Welty, principal; Mrs. W. W. Keith, Mary Jesse, Ruth Slade, Helen Gridley, Agnes Huberger, Naomi R. Grimm, teachers; and H. M. Cooper, Mrs. George Hamilton, George Patterson, George Atwood, trustees; and B. A. Cassidy, editor Auburn Journal; A. S. Flemming, county clerk of Placer County, and Mrs. A. S. Flemming, guests.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Clark Spence, Mrs. Alice B. Valteau, Mrs. Wesley D. Smithe, and Mr. Wesley D. Smithe.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Donald W. Knapp of San Bernardino, California.



## PROPOSED AMENDMENT TO THE SENATE RULES.

Senator Breed gave notice that on the next legislative day he would move to amend the Senate rules as follows:

31a. Adoption of amendments to any bill by the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration on the third reading of the bill, of such amendments or any part thereof, by the Senate.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing, to which was referred Assembly Bill No. 634—An act to amend section 2 of an act entitled "An act providing for the publication of an index of the laws of California and making an appropriation therefor," approved May 23, 1919, as amended, relating to the price of such index—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

JONES, RAY, Chairman.

Assembly Bill No. 634 ordered on file for second reading.

## ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

BAKER, Chairman.

Senate Bill No. 388 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases;

Also: Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail;

Also: Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases;

Also: Senate Bill No. 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases;

Also: Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case;

Also: Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

BAKER, Chairman.

Senate Bills Nos. 361, 364, 384, 385, 386 and 387 ordered on file for second reading.

## ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 252—An act to amend section 3465 of the Political Code, relating to swamp and overflowed salt marsh and tidelands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

RUSH, Chairman.

Senate bill No. 252 ordered on file for second reading.



Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 515—An act to amend sections 18 and 35 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

RUSH, Chairman.

Senate Bill No. 515 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 816—An act making an appropriation for the construction and equipment of buildings for the junior high school and intermediate grades at the San Jose State Teachers College—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—9; committee vote: Ayes—5; absent—4.

WEST, Chairman.

Senate Bill No. 816 re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 843—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller, and indorsed by the State Treasurer who were in office on the second day of January, 1927—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

WEST, Chairman.

Senate Bill No. 843 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 720—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposit of moneys in banks—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

HANDY, Chairman.

Senate Bill No. 720 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement thereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 348—An act to establish standards for field crop products and related agricultural products, providing for the sampling, grading, inspection and certification thereof, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing penalties for violation of the provisions hereof, making an appropriation to carry out the provisions of this act, establishing the field crops inspection fund, and repealing the California Grain Standardization Act, approved June 3, 1921.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out in the sixth, seventh and eighth lines the words "making an appropriation to carry out the provisions of this act, establishing the field crops inspection fund".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, following the words "carrying out all of", insert the word "the".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 17 of the printed bill, strike out the word "employes" and insert in lieu thereof the word "employees".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2, line 23, of the printed bill, after the period insert as a sentence "The director is hereby authorized to collect such fees in advance of performing the services, but shall not be required to do so if in his opinion the benefits of such services would be lessened by such advance payments."

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2, line 45, of the printed bill, commencing after the period with the word "Any" strike out everything down to and including the period after the word "agriculture" in line 49 and insert in lieu thereof the following: "any person so authorized shall comply with the rules and regulations issued by the director relative to the certification of field crop products."

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 3 of the printed bill, between the lines 31 and 32, insert the following as a section: "Sec. 10. Any railroad delivering field crop products in cars at any of the places provided with inspection service under this act shall provide convenient and suitable sidetracks at such places as the director may designate, on which all cars of field crop products delivered by them shall, upon arrival, be set and arranged convenient for inspection, whenever such cars of field crop products are to be inspected in accordance with the provision of this act."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 3, line 32, of the printed bill, strike out the numeral "10" and insert in lieu thereof the numeral "11".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3, line 33, of the printed bill, strike out the words "employee of the director of agriculture" and insert in lieu thereof the words "authorized inspector".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 3, line 44, of the printed bill, strike out the numeral "11" and insert in lieu thereof the numeral "12".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On pages 33 and 34 of the printed bill, strike out all of Sec. 12 and insert in lieu thereof the following: "Sec. 13. All moneys received under the provisions of this act shall be paid monthly into the state treasury and placed to the credit of the general fund."

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 4, line 5, of the printed bill, strike out the numeral "13" and insert in lieu thereof the numeral "14".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, before the word "shall", insert the following: "and certificates issued under authority of an act of the United States Congress, and in accordance with the rules and regulations of the secretary of agriculture of the United States,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

On motion of Senator Jones, Senate Bill No. 580 was passed on file.

Senate Bill No. 34—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 322—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, as amended, by adding thereto a new section to be numbered 15*b*, which section relates to the furnishing of bonds by certain officers and employees of building and loan associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 323—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642*b*, relating to the investment of moneys with building and loan associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 340—An act to amend the Penal Code by adding a new section to be known as section 563*c*, thereto, relating to offenses against or concerning building and loan associations and prescribing penalties for violation of the provisions of the act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 432—An act to amend sections 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 433—An act to amend section 634 of the Civil Code of the State of California, relating to the issuance of shares and investment certificates of building and loan associations and relating to the creation of a reserve fund; selection of directors and fees chargeable by such associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 434—An act to amend section 647 of the Civil Code of the State of California, relating to building and loan associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 436—An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the Building and Loan Commissioner of the State of California in accordance with the provisions of title XVI, part IV, division I of the Civil Code, legal investments for certain purposes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 437—An act to add a new section to the Code of Civil Procedure to be numbered 1454*a*, relating to the collection of money by heirs.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 438—An act to amend section 641 of the Civil Code, relating to guarantee stock dividends and reserve fund of building and loan associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 435—An act to amend sections 2 and 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relating to the salaries and expenses of the Building and Loan Commission and the building and loan inspection fund.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "administrator" and insert in lieu thereof the word "administration".

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

**Amendment adopted.**

##### AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed bill, after the word "of" insert the words "an appraiser,".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 813—An act to amend section 633 of the Civil Code, relating to building and loan associations.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered.

##### AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, strike out the word "notwithstanding" and insert in lieu thereof the word "withstanding".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 93—An act to amend section 873 of the Code of Civil Procedure, relating to trials in justices' courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 273—An act to add a new section, to be numbered 956a, to the Code of Civil Procedure, relating to remedial powers of the appellate courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 324—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the forma-

tion, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and the creation of ex officio boards of supervisors." approved March 20, 1909, as amended, by amending section 18*b* thereof, relating to inclusion of territory by municipalities.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 500—An act to amend sections 983, 984 and 985 of the Code of Civil Procedure, and to add nine new sections to said code to be numbered respectively 986, 987, 988, 988*a*, 988*b*, 988*c*, 988*d*, 988*e*, 988*f*, 988*g*, and 988*h*, relating to appeals from municipal courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 742—An act to amend section 548 of the Code of Civil Procedure, relating to property under attachments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 360—An act to amend the "California Water Storage District Act," approved June 3, 1921, as amended by amending the title to said act, and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 34, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19*a*, and relating to the reapportionment of assessments in case of the subdivision of lands by adding nineteen new sections, to be numbered sections 64*a*, 64*b*, 64*c*, 64*d*, 64*e*, 64*f*, 64*g*, 64*h*, 64*i*, 64*j*, 64*k*, 64*l*, 64*m*, 64*n*, 64*o*, 64*p*, 64*q*, and 64*r*, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64*s*, and relating to the authority of guardians, executors and administrators, to act as owners of title or evidence of title.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, after the comma following the words "twenty-nine," insert the words "thirty-two."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 10 of the title of the printed bill, after the word "lands" insert a semicolon and the words "by adding a new section to be known as 19*b*, relating to the reassessment of land after a five year period; by adding a new section, to be numbered 23½ and relating to the allocation of the net returns from the generation of electric power;"

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 4, line 44, of the printed bill, after the period following the word "board," insert the following: "The directors shall on the first Tuesday after their election and qualification meet and organize as a board and select and designate an office of the board, which shall also be the office of the district, at which the board shall thereafter hold its meetings. The board shall then proceed to classify themselves by lot into two classes, as nearly equal in number as possible, and the term of office of the class having the greater number shall expire on the first Tuesday in March following the next general February election in this act provided for; and the term of office of the class having the lesser number shall terminate on the first Tuesday in March following the next general February election thereafter. After such classification the board shall elect a president from their number and shall appoint a secretary and treasurer, each of whom shall hold office during the pleasure of the board. The

term of office of any treasurer holding office at the date this amendatory act becomes effective shall terminate at the general water storage district election next thereafter held in the district for which such treasurer holds office; *provided, however*, that if any vacancy shall occur in the office of any incumbent treasurer prior to such general water storage district election, such vacancy shall be filled by appointment of the board of directors of the district in which such vacancy occurs, the treasurer so appointed to hold office at the pleasure of the board of directors. The amount of the bond to be given by the secretary for the faithful performance of his duties shall be fixed by the board.

The office of the board and its place of meetings may be changed by a majority vote of the board of directors, but no such change shall become effective until after the resolution making such change shall be published once a week for two successive weeks in the county in which the office of the board of directors has theretofore been located."

#### Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 9, line 9, of the printed bill, following the comma after the words "*provided, however*," insert the following: "that if the project shall include plans for the generation of electric power, then the commissioners shall ascertain the total cost of all the properties which are necessary to be used in connection with the generation of electric power as set forth in said plan, and shall also ascertain what portion of the assessment of benefits to accrue to each tract made as herein provided consists of costs of the properties which are necessary to be so used; *and provided further*,".

#### Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 10 of the printed bill, following line 2, insert the following: (44) The rate per acre of such assessment upon each tract assessed for the costs of the properties which are necessary to be used in connection with the generating of electric power, or if no assessment of such costs is made upon any tract, or area composed of more than one tract, a statement of that fact;

#### Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 10, line 18, of the printed bill, insert after the word "therewith," the following: "and also the portion of the assessment attributable to the cost of the properties which are necessary to be used in connection with the generation of electric power."

#### Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 18 of the printed bill, following line 22, insert: "Sec. 23}. Upon the call of any tax or assessment, or portion thereof, hereunder the board of directors shall ascertain the total net revenue which has been derived by the district from the generation of electric power since the call of the last preceding tax or assessment, or portion thereof, and from the tax or assessment then called upon each tract of land which has been assessed for the costs of the properties comprising the portion of the project to be used for the generation of electric energy, there shall be deducted by the county treasurer of each county in which lands of the district are situated, an amount equal to such proportion of the total net revenue so ascertained to have been derived from the generation of electric energy, as the portion of such costs assessed under section 19 hereof against such tract bears to the total of such costs. In making such deductions, fractions of cents upon each such tract shall be disregarded and no error in the computation of such deduction shall invalidate any such call."

#### Amendment adopted.

##### AMENDMENT NUMBER EIGHT.

On page 36, line 20, of the printed bill, following the word "petition," insert the following: "it appears that the lands sought to be excluded will not be benefited by irrigation from water supplied from said district or by reclamation or drainage of the land not made necessary by the irrigation of other lands the land shall be excluded from the district, but if".

#### Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 34, line 50, of the printed bill, strike out the words "or may become".

**Amendment adopted.**

## AMENDMENT NUMBER TEN.

On page 27, line 32, of the printed bill, following the semicolon, strike out the words "*provided, however,*" and insert in lieu thereof: "*provided, before any purchase of property located in the district at a price exceeding five hundred thousand dollars, the price shall be approved by the state engineer; and, provided further*".

**Amendment adopted.**

## AMENDMENT NUMBER ELEVEN.

On page 5, line 36, of the printed bill, following the word "may," insert "upon approval of the state engineer".

**Amendment adopted.**

## AMENDMENT NUMBER TWELVE.

On page 12 of the printed bill, following line 46, insert:

SEC. 12 $\frac{1}{2}$ . A new section is hereby added to said act, to be numbered 19b, and to read as follows:

Sec. 19b. At the expiration of five years after the commissioners have assessed the cost of the project upon the benefited lands within the district, and the costs of the portion of the project used for the generation of electric energy, and thereafter at periods of not less than five years, the state engineer, upon the request of, the board of directors, or upon petition of holders of title to ten per cent of the lands within the district, shall appoint three commissioners to reassess the costs of the project upon the benefited lands within the district, whereupon the state engineer shall appoint such commissioners, and thereupon proceedings shall be had for assessing the costs of the project as provided in section 19 of this act.

**Amendment adopted.**

## AMENDMENT NUMBER THIRTEEN.

On page 30 of the printed bill, after line 2, insert the following:

SEC. 19 $\frac{1}{2}$ . Section 32 of said act is hereby amended to read as follows:

Sec. 32. No director or any other officer named in this act shall in any manner be interested, directly or indirectly, in any construction or supply contract awarded or to be awarded by the board, or in the profits to be derived therefrom, but no other character of contract shall be invalid because of interest on the part of a director or officer, unless such director or officer participate in or influence the making or authorization of such contract on behalf of the district; and for any violation of this provision, such officer shall be deemed guilty of a misdemeanor, and conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 212—An act to add a new section to the Code of Civil Procedure, to be numbered 1770a, relating to the management of the estate of an incompetent ward, and to expenditures that may be made therefrom.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4 of the title, strike out the word "and".

**Amendment adopted.**



## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 4 of the title, strike out the period and substitute a comma and add the following words: "and the procedure to be followed in obtaining the order of the court for such expenditures."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 1, between the words "the" and "income" insert the word "net".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, in line 1, after the word "ward" insert the words "after payment of all charges and expenses on his property."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, in line 6, after the comma following the word "person" strike out down to and including the words "notary public" on line 8.

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 1 of the printed bill, in line 10, after the word "person" strike out the words "or organized charity".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 1, line 16, of the printed bill, after the period following the word "estate" add the following: "Before making such order the court must cause such notice as such court deems reasonable to be given to any person having the care of such incompetent, and to such relatives of the incompetent residing in the county as the court may deem proper. In all cases notice must be given to the husband or wife of the incompetent and parents and children of the incompetent or proof made to the court that their addresses are unknown, or that, for other reason, such notice cannot be given."

Amendment adopted.

Bill read second time, and re-referred to Committee on Judiciary.

Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the words "board of supervisors" and insert in lieu thereof "county recorder".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out the word "an" and insert in lieu thereof the word "as".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 12 to 30, both inclusive, and in lieu thereof insert the following:

The term "block", as used in this act, shall be construed as meaning any parcel of land entirely bounded by public highways, other than alleys, or the boundary line or lines of the tract or subdivision.

Third—All lots intended for sale, by consecutive numbers, commencing with the numeral "one" and their dimensions and boundaries and the courses of their boundary lines. All parcels of land reserved for private purposes and not intended for sale, and not offered for dedication to the public use and parcels of land offered for dedication as public highways and not accepted by the proper governing body upon presentation to it, shall be designated by letters commencing with the letter "A", and consecutively thereafter in alphabetical order.

The term "lot", as used in this act, shall be construed as meaning any parcel of land containing five acres or less in area.

Fourth—The exact location of such tract or subdivision of land into lots with reference to adjacent subdivisions of land into lots, maps or plats of which have previously been recorded, if any, or if none, then with reference to corners of a United States survey, or to some natural or artificial monument.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out lines 47 to 52, both inclusive; and on page 4 of the printed bill, strike out lines 1 to 9, both inclusive, and in lieu thereof insert the following: "surveyor, county assessor, and county planning commission, if such there be, if such tract or subdivision of land lies in unincorporated territory, or city engineer, if such there be, and the city assessor, if such there be, and city planning commission, if such there be, of any incorporated city or town, in which the whole or any part of such tract or subdivision of land is situated, showing that each and every block or lot therein has been carefully examined as to its value for residence or commercial uses with their suggestions and recommendations to such governing body. Said official or commission shall report thereon to the governing body within ten days after receipt of said map or plat by said official or commission."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, strike out lines 6 to 13, both inclusive, and in lieu thereof insert the following:

Said governing body or board of supervisors may require, as a condition precedent to the acceptance of the highways so offered for dedication, that the owner or subdivider of such tract or subdivision of land enter into a contract with such city, city and county, or county whereby the owner or subdivider, in consideration of the approval of such map or plat and the acceptance of the highways offered for dedication thereon, shall agree, within such period as may be required by such governing board or board of supervisors and provided for therein, to pave or otherwise surface said highways, including curbs and sidewalks therefor, according to specifications as established by such governing body or board of supervisors and referred to therein.

Such governing body or board of supervisors may further require the owner or subdivider to file with such governing body or board of supervisors a good and sufficient bond in a penal sum not to exceed the total estimated cost of the improvements required by said contract, conditioned upon the faithful performance of said contract by the contracting party thereto. It shall not be necessary that the principal on said bond shall be the owner of any record interest in such tract or subdivision but may be only the holder of an equitable interest therein. When such bond is required by any governing body or board of supervisors, under the provisions of this act, its terms shall be liberally construed for the benefit of said governing body or board of supervisors. No proof of loss shall be required in any subsequent action brought by any city, city and county, or county for the recovery of the penal sum named in such bond, other than the failure of the principal on said bond to comply with the terms of said contract. When any contract is entered into between the governing body or board of supervisors and an owner or subdivider of any tract or subdivision, for the improvement of highways so offered for dedication, such contract shall be deemed a contract for the improvement of a public highway, and such governing body or board of supervisors must require the bond as now provided for in an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of said public officers with respect thereto," approved May 10, 1919, as amended, or as may be required by subsequent amendments thereto.

In the event that the tract of land shown upon the map or plat is traversed by any natural water course or channel, such governing body may require as a condition precedent to the approval of such map or plat, either the dedication to public use of an easement or a conveyance to the political subdivision of a right of way for storm drain purposes to conform substantially with the lines of such natural water course or channel.

Said governing body or board of supervisors may further require, as a condition precedent to the approval of such map or plat in the event that the tract of land shown upon the map or plat is traversed by any natural water course or channel, that the owner or subdivider of such tract or subdivision enter into a contract with such governing body or board of supervisors whereby the owner or subdivider, in consideration of the approval of such map or plat, shall agree, within such period as may be required by such governing body or board of supervisors and provided for therein, to improve the right of way for storm drain purposes dedicated by such map or plat, as required by the provisions hereof, with such structures or improvements as may be required by such governing body or board of supervisors according to plans and specifications as established by such governing body or board of supervisors, and referred to therein, so that natural drainage and waste water may be carried across said tract or subdivision of land and duly disposed of without danger to life, limb, or property. Such governing body may further require a good and sufficient bond, in a penal sum not to exceed the total estimated cost of the structures or improvements required by said contract, conditioned upon the faithful performance of said contract, and must require the bond, when such contract has been entered into, provided for in an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of said public officers with respect thereto," approved May 10, 1919, as amended. Such bonds shall be subject, in all respects, to the provisions of this act relating to bonds securing contracts for improvements on highways offered for dedication.

Amendment adopted.

Bill read second time, and re-referred to Committee on Judiciary.

Senate Bill No. 155—An act to amend section 274 of the Code of Civil Procedure, relating to fees of court reporters.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 6, 7, 8 and 9, and insert in lieu thereof the following: "For reporting testimony and proceedings; for a contested civil case, ten dollars per day; for a default civil case, two and one-half dollars; for criminal cases, ten dollars per day."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

Strike out the period after the word "chapter" at the end of the printed bill, and insert in lieu thereof a semicolon and the following: "provided such adult has lived for at least five years in the relationship of son or daughter with the party desiring to adopt said adult."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11, and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 79—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government, and relating to the compensation of officers of municipalities;

Also: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to be numbered 14½ to article XIII of said constitution, relating to the taxation of foreign insurance corporations;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.



## THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 79—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government, and relating to the compensation of officers of municipalities.

On motion of Senator Christian, Senate Bill No. 79 was re-referred to Committee on Municipal Corporations.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section, to be numbered 14½, to article XIII of said constitution, relating to the taxation of foreign insurance corporations.

On motion of Senator Inman, Senate Constitutional Amendment No. 3 was passed on file.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 57 thereof, relating to the compensation of directors and other officers;

Also: Senate Bill No. 77—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment;

Also: Senate Bill No. 264—An act to amend section 4232a of the Political Code, relating to the compensation of jurors in counties of the third class;

Also: Senate Bill No. 22—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to election precincts;

Also: Senate Bill No. 568—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools;

Also: Senate Bill No. 671—An act to amend section 2322.40 of the Political Code, relating to the salaries of county horticultural commissioners, deputies, and inspectors in counties of the fortieth class;

Also: Senate Bill No. 78—An act to add a new section to the Political Code, to be numbered 1624, relating to the sale of school property by one district to another;

Also: Senate Bill No. 169—An act to add a new section to be numbered 6c to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to assuming of obligation of guarantor by transportation companies;

Also: Senate Bill No. 170—An act to amend section 6 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to mortgages and liens on property of transportation companies;

Also: Senate Bill No. 171—An act to add a new section to be numbered 7½ to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, conferring jurisdiction upon the Railroad Commission to award reparation against transportation companies:

Also: Senate Bill No. 287—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the granting of certificates of public convenience and necessity to foreign corporations:

Also: Senate Bill No. 125—An act to amend section 51 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations; creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended:

Also: Senate Bill No. 304—An act authorizing municipal corporations to expend money for advertising or publicity purposes:

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 57 thereof, relating to the compensation of directors and other officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 316 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Wagye—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 77—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 77 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Wagye—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation.

On motion of Senator Sharkey, Senate Bill No. 294 was passed on file.

Senate Bill No. 575—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 575 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 264—An act to amend section 4232a of the Political Code, relating to the compensation of jurors in counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 264 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; provided not less than three printed copies of such code or codes, in book form, have been filed with the clerk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 247 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Arthur H. Breed, President pro tempore of the Senate, was called to the chair.

Senate Bill No. 22—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to election precincts.

On motion of Senator Christian, Senate Bill No. 22 was re-referred to Committee on Elections.

Senate Bill No. 568—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 568 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIi, embracing sections 372 to 372g, relative to a Department of Public Health.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 793 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIh, embracing sections 367 to 367g, relating to a Department of Social Welfare.



Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 794 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATOR CROWLEY IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Senator Crowley of the Twenty-second District was called to the chair.

Senate Bill No. 671—An act to amend section 2322.40 of the Political Code, relating to the salaries of county horticultural commissioners, deputies, and inspectors in counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 671 passed by the following vote:

AYES:—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 78—An act to add a new section to the Political Code to be numbered 1624, relating to the sale of school property by one district to another.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Christian moved to refer Senate Bill No. 78 to Senator Hurley, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "any" insert the word "real".

##### AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "such" insert the word "real".

##### AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the word "the" and before the word "property" insert the word "real".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 78, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, Special Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code, consisting of sections 350 to 350*r*, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states.

On motion of Senator Lyon, Senate Bill No. 159 was passed on file.

Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act, relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody, and midwifery, approved June 2, 1913, as amended.

On motion of Senator Crowley, Senate Bill No. 308 was passed on file.

Senate Bill No. 169—An act to add a new section to be numbered 6c to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof, and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to assuming of obligation of guarantor by transportation companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 169 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKipley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 170—An act to amend section 6 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to mortgages and liens on property of transportation companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 170 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman,

Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—36.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 171—An act to add a new section to be numbered 7½ to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, conferring jurisdiction upon the Railroad Commission to award reparation against transportation companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 171 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 287—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the granting of certificates of public convenience and necessity to foreign corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 287 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 125—An act to amend section 51 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 125 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 304—An act authorizing municipal corporations to expend money for advertising or publicity purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 304 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 814—An act relating to intoxicating liquors, making it a felony to own, operate or knowingly possess any still used, designed or intended for the manufacture of intoxicating liquor and providing a penalty for the violation thereof.

Bill read third time.

HOURLY OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until the conclusion of the argument on Senate Bill No. 814.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Canepa moved to refer Senate Bill No. 814 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, add the following words: "the second time" after the word "conviction".

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 814, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read.

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Young and Kline upon the report of the committee and the adoption of the amendment. Whereupon the Secretary was directed to call the roll.

The roll was called, and report and amendment refused adoption by the following vote:

AYES—Senators Allen, J. M., Canepa, Crowley, Gray, Handy, Maloney, Murphy, Slater, and Tubbs—9.

NOES—Senators Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Fellom, Garrison, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Mueller, Nelson, Rush, Sharkey, Swing, Taylor, Wagy, Weller, West, and Young—28.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 814 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Mueller, Nelson, Rush, Slater, Swing, Taylor, Wagy, Weller, West, and Young—28.

NOES—Senators Allen, J. M., Canepa, Crowley, Fellom, Gray, Maloney, Murphy, Sharkey, and Tubbs—9.

## RE-REFERENCE OF BILL.

Senator Lyon asked for and was granted unanimous consent to have Senate Bill No. 59 re-referred to Committee on Judiciary.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Allen, J. M., to introduce a bill entitled—An act to provide for the governing body of any city to determine when an entire city is benefited by proposed work or improvement: To make boundary lines of improved districts co-extensive with boundary lines of such city and to make the cost and expenses of such work and improvement chargeable upon such entire district—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bill was introduced:

By Senator Allen, N. M.: Senate Bill No. 848—An act to provide for the governing body of any city to determine when an entire city is bene-

fited by proposed work or improvement: to make boundary lines of improved districts co-extensive with boundary lines of such city, and to make the cost and expenses of such work and improvement chargeable upon such entire district.

Bill read first time, and referred to Committee on Municipal Corporations.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Allen, J. M., to introduce a bill entitled—An act to amend an act entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes, and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto to be numbered section 26 to provide for the dissolution of such levee districts—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Allen, J. M.: Senate Bill No. 849—An act to amend "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto, to be numbered section 26, to provide for the dissolution of such levee districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Garrison: Senate Concurrent Resolution No. 22—Relating to investigation by the Attorney General into the legality of Assembly Bill No. 1206, chapter LXV, of the 1925 session of the Legislature, and the contract entered into pursuant to said bill for the sale of the Folsom reservoir site.

Referred to Committee on Judiciary.

Also: Senate Joint Resolution No. 11—Relating to securing the aid of the United States government in establishing a basis for execution of the coordinated plan for the development of the water resources of California.

Referred to Committee on Federal Relations.

Also: Senate Concurrent Resolution No. 21—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend to the forty-eighth session of the Legislature a verified State policy or plan for the complete development of the water resources of the State.

Referred to Committee on Irrigation.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 6—An act to amend section 4280 of the Political Code, relating to the compensation of officers in counties of the fifty-first class;

Also: Senate Bill No. 716—An act to amend section 529 of the Civil Code, relating to bridge, ferry, wharf, chute and pier corporations;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

##### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 128—An act to add a new section to be known as section 22½ to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to boundary lines of fish and game districts;

Also: Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations;

Also: Senate Bill No. 465—An act to amend section 626k of the Penal Code, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

CHAMBERLIN, Chairman.

Senate Bills Nos. 128, 612 and 465 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 106—An act to amend section 627b of the Penal Code, relating to the shipment of fish and game;

Also: Senate Bill No. 462—An act to amend sections 5, 6 and 7 of an act entitled "An act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911, as amended; and adding a new section thereto to be known as section 11½;

Also: Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

CHAMBERLIN, Chairman.

Senate Bills Nos. 106, 462 and 610 ordered on file for second reading.



## ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 166—An act to amend section 653p of the Civil Code, relating to nonprofit cooperative agricultural, viticultural and horticultural associations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—14; absent—1.

BOGGS, Chairman.

Senate Bill No. 166 ordered on file for second reading.

## ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 352—An act to amend section 365c of the Political Code, relating to powers of the State Highway Commission—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—10; absent—5.

SHARKEY, Chairman.

Senate Bill No. 352 ordered on file for second reading.

## ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 624—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—11; absent—2.

SWING, Chairman.

Senate Bill No. 624 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—11; absent—2.

SWING, Chairman.

Senate Bill No. 764 ordered re-referred to Committee on Finance.

## ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 615 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof: the levees, properties and functions of the Palo



Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit:

Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to deputies to assessor and collector; section 15b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27a, relating to time for completion of assessment roll and time for equalizing assessments; section 27b, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28a, relating to levy of taxes by boards of supervisors; section 28b, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28d, relating to collection of unsecured taxes; section 28e, relating to addition of unpaid water tolls and charges to taxes; section 28f, relating to assessment lien; section 28g, relating to change of assessments and refund of erroneous taxes; section 28h, relating to notice that assessments are due and collection and delinquency of taxes; section 28i, relating to suit against delinquents to collect taxes; section 28j, relating to duty of collector on sale for delinquent taxes; section 28k, relating to sale for delinquent taxes; section 28l, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28m, relating to certificates of sale; section 28n, relating to record book of property sold for taxes and interest on redemption; section 28o, relating to redemption of property and collector's deed; section 28p, relating to delinquent taxes and deed on dissolution of district; section 28q, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28r, relating to assessment roll or delinquent list as prima facie evidence; section 28s, relating to misnomers; section 28t, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28u, relating to settlements between secretary and collector; section 29a, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 110 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 358—An act to amend section 41 of the California Irrigation District Act, approved March 31, 1897, relating to notice that assessments are due and penalties for delinquency—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to committee.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 358 ordered on file for second reading.

## REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Garrison:

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act reserving certain unappropriated waters for appropriation or disposition by the State of California, and providing for the appropriation thereof temporarily by others.

Request referred to Committee on Rules.

By Senator Jones, Ray:

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to validate the organization and existence of county water districts.

Request referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act appropriating money for the support of the State Board of Health, for the employment of public health nurses for the control of communicable diseases among the Indians of the State.

Request referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 36—An act to provide for the formation, powers, government, operation and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein;

Also: Assembly Bill No. 265—An act to amend the California Irrigation District Act by amending sections 13, 19, 19b, 22b and 25 thereof;

Also: Assembly Bill No. 383—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 44, 47 and 47½ thereof, relating to the rights of the owner of real property upon assessment sale and the sale of such real property and the rights of the purchaser thereof and the redemption of property sold at delinquent assessment sale;

Also: Assembly Bill No. 683—An act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 2047, and all acts and proceedings of said district and of the trustees and officers thereof, and the proceedings relating to the inclusion of additional lands within the district, and defining and declaring the exterior boundaries of said district;

Also: Assembly Bill No. 731—An act to authorize the State Adjutant General to lease State armories and other State property;

Also: Assembly Bill No. 736—An act to add a new section to the Penal Code, to be numbered 597h, relating to carrying animals on automobiles.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 36 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 265 and 383 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 683 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 731 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 736 read first time, and referred to Committee on Motor Vehicles.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 851—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, as amended, relating to the filing of certificates for the practice of optometry;

Also: Assembly Bill No. 859—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 863—An act confirming and validating the formation or organization and existence of reclamation districts;

Also: Assembly Bill No. 864—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 865—An act confirming and validating the formation or organization and existence of irrigation districts;

Also: Assembly Bill No. 897—An act authorizing the head of any State department, with the approval of the Department of Finance, to destroy records;

Also: Assembly Bill No. 1090—An act to amend section 1243 of the Civil Code of the State of California, relating to the abandonment of homesteads.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 851 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 859, 863, 864 and 865 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 897 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1090 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 21—Relative to inviting the President of the United States to spend his vacation in California.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. WM. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 21 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 949—An act to amend sections 1, 2 and 7 of an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to describe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909, as amended, relating to the creation and powers of the county boards of forestry;

Also: Assembly Bill No. 671—An act to amend section 2636 of the Political Code, relating to the naming and changing of names of public highways;



Also: Assembly Bill No. 266—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a section thereto to be designated as section 27b, relating to the deposit of funds of irrigation districts in banks, the receiving of interest thereon, and the taking of security for the safe-keeping thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 949 and 671 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 266 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 429—An act to authorize the city of Placerville to execute certain trusts in relation to the lands granted to said city;

Also: Assembly Bill No. 443—An act to amend section 3 of an act entitled "An Act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to the consolidation of voting precincts;

Also: Assembly Bill No. 589—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, by providing that the electors of cities of the sixth class may, by majority vote, adopt either the commission or city manager plan of government; also that they may abolish the same by a like vote;

Also: Assembly Bill No. 943—An act to amend section 2656 of the Political Code, relating to the division of district funds, upon the incorporation of municipalities, or annexation to municipalities.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 429, 443, 589 and 943 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 203—An act to amend section 2322-23 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the twenty-third class;

Also: Assembly Bill No. 658—An act to amend section 19c44 of the "Juvenile Court Law" approved June 5, 1915, relating to the salary of probation officers in counties of the forty-fourth class;

Also: Assembly Bill No. 476—An act authorizing the establishment of municipal and county laboratories for the diagnosis of communicable disease and requiring the State Board of Health to issue certificates of approval for such laboratories;

Also: Assembly Bill No. 421—An act to confirm a lease executed by the city of Richmond;

Also: Assembly Bill No. 1151—An act to validate the organization and existence of municipal utility districts and declaring the urgency of said act.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 203 and 658 read first time, and referred to Committee on County Government.

Assembly Bill No. 476 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 421 and 1151 read first time, and referred to Committee on Municipal Corporations.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 854—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended;

Also: Assembly Bill No. 251—An act to amend section 4279 of the Political Code, relating to salaries of officers of counties of the fiftieth class;

Also: Assembly Bill No. 624—An act to amend section 2322<sup>27</sup> of the Political Code, relating to the salary of the horticultural commissioner and inspectors in counties of the seventh class;

Also: Assembly Bill No. 29—An act to amend section 4256 of the Political Code, relating to the salaries, fees, and compensation of county officers of the twenty-seventh class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 854 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 251, 624 and 29 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 852—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended;

Also: Assembly Bill No. 191—An act to amend section 3817 of the Political Code, relating to delinquent taxes;

Also: Assembly Bill No. 33—An act to amend section 3756 of the Political Code, relating to penalty on delinquent taxes;

Also: Assembly Bill No. 853—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 852 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 191 and 33 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 853 read first time, and referred to Committee on Public Health and Quarantine.

ADJOURNMENT.

At one o'clock and thirty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Thursday, March 10, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, March 10, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 9, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. A. E. Bottel of Riverside, California.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. D. D. Heagerty of Maricopa, California, State President Fraternal Order of Eagles.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. E. G. Seamon of Westwood, California.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Percy C. Woodhouse and Mr. Wm. T. Barr of San Francisco, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Alvin J. Gurlock of San Francisco, California.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. William May Garland, Mr. Fred Beatty, Mr. James Stephens, Mr. Jack Farner of Los Angeles, California; Everett W. Mattoon, county counsel, and Mrs. Mattoon of Los Angeles.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. C. Jackson of Stockton, California.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Murphy:

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

CLERK'S OFFICE, March 8, 1927.

*To the Senate and Assembly,  
California Legislature,  
Sacramento, California.*

Your attention is respectfully called to the following resolution adopted by the board of supervisors on Monday, March 7, 1927:

Resolution No. 26887 (New Series).

WHEREAS, There is now pending before the Legislature of the State of California, Assembly Bill No. 841, the same providing for an increase in the salaries of the justices of the peace of the city and county of San Francisco, State of California; and

WHEREAS, The great growth of population and industry in the city and county of San Francisco, State of California, has resulted in a very substantial increase in the business of these courts, justifying an increase of the compensation paid to these judges; now, therefore, be it

*Resolved*, That the board of supervisors of the city and county of San Francisco does hereby endorse Assembly Bill No. 841, and urges its passage; and, be it further

*Resolved*, That a copy of this resolution be forwarded to the Senate and Assembly and to the Governor of the State of California.

Respectfully yours,

J. S. DUNNIGAN, Clerk.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Jones, Ray, to introduce a bill entitled—An act appropriating money for the support of the State Board of Health for the employment of public health nurses for the control of communicable diseases among the Indians of the State—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellow, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnston, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bill was introduced:

By Senator Jones, Ray: Senate Bill No. 850—An act appropriating money for the support of the State Board of Health for the employment of public health nurses for the control of communicable diseases among the Indians of the State.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also :

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Jones, Ray, to introduce a bill entitled—An act to validate the organization and existence of county water districts—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Jones, Ray: Senate Bill No. 851—An act to validate the organization and existence of county water districts.

Bill read first time, and referred to Committee on County Government.

Also :

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Garrison, to introduce a bill entitled—An act reserving certain unappropriated waters for appropriation or disposition by the State of California, and providing for the appropriation thereof temporarily by others—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Garrison: Senate Bill No. 852—An act reserving certain unappropriated waters for appropriation or disposition by the State of California, and providing for the appropriation thereof temporarily by others.

Bill read first time, and referred to Committee on Irrigation.

#### ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 4—Relative to memorializing Congress to adopt a bill to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—3; absent—2.

YOUNG, Chairman.

Assembly Joint Resolution No. 4 ordered on file.



## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 142—An act to amend section 39 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897:

Also: Senate Bill No. 830—An act to amend section 15 of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to powers and duties of board of directors:

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of March, 1927, at 4 o'clock and 20 minutes p.m.

JONES, RAY, Chairman.

## ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 829—An act appropriating money to be used under certain specified conditions by federal authorities in deepening Suisun Bay channel from Martinez to Antioch, California—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—9; committee vote: Ayes—6; absent—3.

TAYLOR, Chairman.

Senate Bill No. 829 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

TAYLOR, Chairman.

Senate Bill No. 341 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 151—An act to add a new section to the Political Code to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6.

TAYLOR, Chairman.

Senate Bill No. 151 ordered on file for second reading.

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 78—An act to add a new section to the Political Code, to be numbered 1624, relating to the sale of school property by one district to another—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

## MOTION TO CORRECT SENATE JOURNAL.

Senator Garrison moved to correct the Senate Journal of March 4, 1927, as follows:

On page 9, in fourth paragraph, strike out the letter "C" and insert in lieu thereof the letter "E".

On page 9, in fourth paragraph, strike out the letter "A" and insert in lieu thereof "exhibit number two".

On page 9, in fourth paragraph, strike out the letter "B" and insert in lieu thereof "exhibit number one".

Motion carried.

## REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Handy:

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof.

Request referred to Committee on Rules.

By Senator Garrison:

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to appropriate money to pay the necessary expenses of the Legislative Committee appointed pursuant to provisions of Senate Concurrent Resolution No. 21, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses.

Request referred to Committee on Rules.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator McKinley: Senate Joint Resolution No. 12—Relative to the appointment of a State commission to act for the State, in conjunction with the United States commission created by joint resolution approved December 2, 1924, in the George Washington celebration to be held in the year 1932.

Referred to Committee on Federal Relations.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 3631, providing for the supervision of ports by the Department of Public Works—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

Committee membership—9; committee vote: Ayes—6; absent—3.

TAYLOR, Chairman.

Senate Bill No. 823 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 102—An act granting to the city of Eureka tide and submerged lands of the State of California including the right to wharf out therefrom to the city of Eureka and regulating the management, use and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6.

TAYLOR, Chairman.

Senate Bill No. 102 ordered on file for second reading.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 95—An act to amend section 1197 of the Political Code, relating to election ballots, the manner of voting and conduct of elections:

Also: Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended:

Also: Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture;

Also: Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement thereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof;

Also: Senate Bill No. 34—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies;

Also: Senate Bill No. 322—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, as amended, by adding thereto a new section to be numbered 15b, which section relates to the furnishing of bonds by certain officers and employees of building and loan associations;

Also: Senate Bill No. 323—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642b, relating to the investment of moneys with building and loan associations;

Also: Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations;

Also: Senate Bill No. 340—An act to amend the Penal Code by adding a new section to be known as section 563c, thereto, relating to offenses against or concerning building and loan associations, and prescribing penalties for violation of the provisions of the act;

Also: Senate Bill No. 432—An act to amend sections 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations;

Also: Senate Bill No. 433—An act to amend section 634 of the Civil Code of the State of California, relating to the issuance of shares and investment certificates of building and loan associations and relating to the creation of a reserve fund; selection of directors and fees chargeable by such associations;

Also: Senate Bill No. 434—An act to amend section 647 of the Civil Code of the State of California, relating to building and loan associations;

Also: Senate Bill No. 436—An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the Building and Loan Commissioner of the State of California in accordance with the provisions of title XVI, part IV, division I of the Civil Code, legal investments for certain purposes;

Also: Senate Bill No. 93—An act to amend section 873 of the Code of Civil Procedure, relating to trials in justices' courts;

Also: Senate Bill No. 273—An act to add a new section, to be numbered 956a, to the Code of Civil Procedure, relating to remedial powers of the appellate courts;

Also: Senate Bill No. 324—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and the



creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18<sup>b</sup> thereof, relating to inclusion of territory by municipalities:

Also: Senate Bill No. 742—An act to amend section 548 of the Code of Civil Procedure, relating to property under attachments;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### RESOLUTION.

The following resolution was offered:

By Senator Inman:

*Resolved*, By the Senate, that the President of the Senate shall appoint three members of the Senate who shall act as a committee to investigate the matter of the observance and enforcement of the provisions of section 421<sup>a</sup> of the Civil Code of California; and, be it further

*Resolved*, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and objects hereinbefore referred to, and that it be authorized to employ such clerical and other help and assistance as said committee shall deem necessary, and said committee is hereby authorized and empowered to require the production of persons, books, agreements, documents, records and papers of every kind, to issue subpoenas and to take all necessary means to compel the attendance of witnesses, and to procure testimony, and the members of said committee are and each of them is hereby authorized to administer oaths; and all of the provisions of article VIII of chapter II, title I, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. That said committee be and is hereby given leave to sit either at the Capitol, or at such other place, or places, as said committee shall from time to time designate; and, be it further

*Resolved*, That said committee at the earliest possible date report to the Senate its findings on the subject matter of said investigation, including its recommendations, if any, in respect to further legislation that may be needed or that may be desirable upon the subject; and, be it further

*Resolved*, That the expenses incurred in such investigation, not to exceed the sum of \$200, shall be paid out of the contingent fund of the Senate.

Resolution read.

#### CONSIDERATION OF SENATE RESOLUTION.

Senator Inman asked unanimous consent to take up for consideration the above resolution without reference to committee.

Senator West refused unanimous consent.

Senator Inman moved that the resolution be taken up at this time without reference to committee.

The question being on Senator Inman's motion to take up the resolution without reference to committee.

Motion carried.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and Young—32.

NOES—Christian, and West—2.

#### APPOINTMENT BY THE PRESIDENT.

In accordance with the foregoing resolution, the President announced the appointment of Senators Inman (chairman), Allen, J. M., and Ingram.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 252—An act to amend section 3465 of the Political Code, relating to swamp and overflowed salt marsh and tidelands.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 515—An act to amend sections 18 and 35 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "Section 18" and insert in lieu thereof the words "Section 35".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, commencing with the words "Sec. 18", strike out all of said printed bill to and including the words "as follows" in line 24, page 4, of said printed bill.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 4, line 31, of the printed bill, strike out the words "the back of".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 4, line 40, of the printed bill, commencing with the word "controller", strike out everything to and including the word "warrant" in line 48, page 4, and in lieu thereof insert the following: "reclamation board by the owner or holder thereof for the purpose of having two or more warrants issued to him in lieu thereof, the said state reclamation board must thereupon present such warrant properly endorsed to the state controller for credit to the fund upon which it was originally drawn together with a claim on the state controller setting forth the number and denomination of the warrant to be so credited and the number of substituted warrants, and denomination of each, to be issued in lieu thereof, the sum of which said substituted warrants shall equal the principal amount of the original warrant so credited. The state controller must thereupon credit said original warrant to the fund upon which it was originally drawn and must prepare and issue warrants in accordance with the claim so presented showing thereon that the said substituted warrants are issued in lieu of warrant No. (giving the warrant number of the original warrant) and also showing the date of issuance and date of registration of said original warrant."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 843—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 720—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposit of moneys in banks.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out after the word "bank" in said line all of line 2 and all of lines 3, 4, 5 and 6, down to and including the period after the word "bank", and insert in lieu thereof the following: "except that in any county or municipality containing a lesser number than five banks or in which less than five banks agree to pay on such deposits the minimum rate of interest hereinbefore specified or a satisfactory rate, the treasurer of any such county or municipality may deposit the public moneys under his control in such banks in equal portions".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 128—An act to add a new section to be known as section 22<sup>3</sup> to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to boundary lines of fish and game districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 465—An act to amend section 626<sup>1</sup>/<sub>2</sub> of the Penal Code, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 106—An act to amend section 627<sup>b</sup> of the Penal Code, relating to the shipment of fish and game.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 10, 11 and 12, and insert in lieu thereof the following: "ships by parcel post any of the wild birds or wild animals or fish, excepting smoked, cured or dried fish, other than trout, and otherwise lawfully in possession, shall be guilty of a misdemeanor".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 462—An act to amend sections 5, 6 and 7 of an act entitled "An act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911, as amended; and adding a new section thereto to be known as section 11<sup>1</sup>/<sub>2</sub>.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 11, following the word "trout," insert the following: "or other domestically raised fish".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 19 and 20, and insert in lieu thereof the following: "allow to pass into any natural stream, lake, pond or reservoir situated in the bed of any natural stream in this state, any trout or other fish raised in any private hatchery in this state."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 14 and 15 and insert in lieu thereof the following: "licenses of two classes: (a) "hunting license", (b) "sporting fishing".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 1 to 6 inclusive.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the letter "B" and insert in lieu thereof the letter "A".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 33, of the printed bill, strike out the letter "C" and insert in lieu thereof the letter "B".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 38, of the printed bill, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out all that portion of line 17 following the period after the figure six and all of lines 18 and 19 and insert in lieu thereof the following: "Not more than one hunting license and one sporting fishing license shall be issued to any one person for the".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of line 38 and insert in lieu thereof the following: "a hunting and angling".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 4 of the printed bill, strike out all of lines 7, 8 and 9, and insert in lieu thereof the following: "from the sales of hunting licenses in the purchase, lease".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 166—An act to amend section 653*p* of the Civil Code, relating to nonprofit cooperative agricultural, viticultural and horticultural associations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, following line 28, insert the following paragraph: The by-laws may provide the number of directors to be elected by each district and that primary elections shall be held to nominate the directors. In such a case the by-laws may also provide that the results of the primary elections of the various districts may be final and must be ratified by the members at the annual meeting of the association.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 29 to 32, inclusive, and insert in lieu thereof the following:

8. The terms for which the directors shall be elected, which terms shall not be less than one year nor more than five years; and also the number of directors to be elected each year.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 352—An act to amend section 365*e* of the Political Code, relating to powers of the State Highway Commission.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out the period after the word "surveys" and insert in lieu thereof a comma, and add the following "with the approval of the department of finance."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 624—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the

water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit: Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to deputies to assessor and collector; section 15b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27a, relating to time for completion of assessment roll and time for equalizing assessments; section 27b, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28a, relating to levy of taxes by boards of supervisors; section 28b, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28d, relating to collection of unsecured taxes; section 28e, relating to addition of unpaid water tolls and charges to taxes; section 28f, relating to assessment lien; section 28g, relating to change of assessments and refund of erroneous taxes; section 28h, relating to notice that assessments are due and collection and delinquency of taxes; section 28i, relating to suit against delinquents to collect taxes; section 28j, relating to duty of collector on sale for delinquent taxes; section 28k, relating to sale for delinquent taxes; section 28l, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28m, relating to certificates of sale; section 28n, relating to rec-

ord book of property sold for taxes and interest on redemption; section 28*o*, relating to redemption of property and collector's deed; section 28*p*, relating to delinquent taxes and deed on dissolution of district; section 28*q*, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28*r*, relating to assessment roll or delinquent list as prima facie evidence; section 28*s*, relating to misnomers; section 28*t*, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28*u*, relating to settlements between secretary and collector; section 29*a*, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 12, lines 4 and 5, of the printed bill, after the comma following the word "months," strike out the word "the sum," and insert in lieu thereof "such sum not exceeding fifty thousand dollars as may be".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 358—An act to amend section 41 of the California Irrigation District Act, approved March 31, 1897, relating to notice that assessments are due and penalties for delinquency.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 1 of the title, strike out the words "section forty-one of".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 2 of the title, after the comma after the figures 1897, insert the following: "by adding a new section to be numbered forty-one c,".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out the word "notice" in line 2 and all of line 3 of the title and insert in lieu thereof the following: "payment of assessments in two installments, "and repealing an act inconsistent herewith."

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 1 to 26, both inclusive, also page 2 strike out all of lines 1 to 5, both inclusive, and insert in lieu thereof the following:

SECTION 1. A new section to be numbered 41*c* is hereby added to the "California Irrigation District Act" and to read as follows:

Sec. 41*c*. The board of directors may, whenever they shall so determine, and must upon a petition in writing, signed by a majority of the assessment payers within the district, pass a resolution providing that thereafter all assessments, except special assessments provided for by section 34 of this act, shall be payable in two installments, and in said resolution shall specify when such payments may be made,



and the percentage of said assessments to be paid in each installment. Such resolution must be passed before the first Monday in August, and can not be rescinded to take effect during any year after the first Monday of March in that year. Whenever the board of directors have so determined, thereafter the first installment of the assessments levied shall become delinquent at six o'clock p. m. on the last Monday of December, and the second installment thereof shall become delinquent at six o'clock p. m. on the last Monday of June next thereafter; *provided*, that where an assessment has been levied as provided in section 34 of this act the whole of such assessment shall become delinquent on the last Monday in December. When provision is made, as herein provided, for the payment of said assessments in two installments, the publication of the delinquent list provided for in this act, shall not be made before the first day of July, but must be made on or before the first day of August, and except as otherwise in this section provided all the provisions of this act relative to the assessment, payment and collection of assessments, notice of assessments, publication of delinquent list, and sale for delinquent assessment, and all other provisions relative to such assessments shall be applicable.

SEC. 2. That certain act entitled "An act to permit boards of directors of irrigation districts organized or existing under and by virtue of an act of the Legislature, entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes,' approved March 31, 1897; to provide for the payment in two installments of the assessments levied under and in accordance with the provisions of said act", approved March 19, 1909, is hereby repealed.

#### Amendment adopted.

Bill read second time, and ordered re-referred to Committee on Irrigation.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors



thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section, to be numbered 14½, to article XIII of said constitution, relating to the taxation of foreign insurance corporations.

On motion of Senator Inman, Senate Constitutional Amendment No. 3 was passed on file, to retain its place on file.

Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 513 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Wagz, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 95—An act to amend section 1197 of the Political Code, relating to election ballots, the manner of voting and conduct of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Taylor, Wagz, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 6—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 6 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Taylor, Wagz, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRE-SIDENT PRO TEMPORE IN THE CHAIR.

At one o'clock and thirty-five minutes a.m., President pro tempore of the Senate Arthur H. Breed was called to the chair.

Senate Bill No. 78—An act to add a new section to the Political Code, to be numbered 1624, relating to the sale of school property by one district to another.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 78 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 passed by the following vote:

AYES—Senators Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 123 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 98 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Taylor, Wagy, Weller, and Young—32.

NOES—Senators Maloney, Tubbs, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement thereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 148 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 34—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

In the absence of the author, Senate Bill No. 34 was ordered passed on file.

Senate Bill No. 322—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, as amended, by adding thereto a new section to be numbered 15b, which section relates to the furnishing of bonds by certain officers and employees of building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 322 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 323—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642*b*, relating to the investment of moneys with building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 323 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations.

On motion of Senator Johnson, Senate Bill No. 338 was passed on file.

Senate Bill No. 340—An act to amend the Penal Code by adding a new section to be known as section 563*c*, thereto, relating to offenses against or concerning building and loan associations and prescribing penalties for violation of the provisions of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 340 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 432—An act to amend section 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 432 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones,



H. C. Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Taylor, Tubbs, Wag, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 433—An act to amend section 634 of the Civil Code of the State of California, relating to the issuance of shares and investment certificates of building and loan associations and relating to the creation of a reserve fund; selection of directors and fees chargeable by such associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 433 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Mueller, Murphy, Slater, Taylor, Tubbs, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 434—An act to amend section 647 of the Civil Code of the State of California, relating to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 434 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wag, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 436—An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the Building and Loan Commissioner of the State of California in accordance with the provisions of title XVI, part IV, division I of the Civil Code, legal investments for certain purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 436 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Taylor, Tubbs, Wag, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 93—An act to amend section 873 of the Code of Civil Procedure, relating to trials in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 93 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Taylor, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 273—An act to add a new section, to be numbered 956a, to the Code of Civil Procedure, relating to remedial powers of the appellate courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 273 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 324—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and the creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 186 thereof, relating to inclusion of territory by municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 324 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 742—An act to amend section 548 of the Code of Civil Procedure, relating to property under attachments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation.

On motion of Senator Sharkey, Senate Bill No. 294 was passed on file.

Senate Bill No. 716—An act to amend section 529 of the Civil Code, relating to bridge, ferry, wharf, chute and pier corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 716 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

WHEREAS, Crime in the United States, and also in the State of California, has greatly increased in recent years, and particularly high crimes, to wit, murder and other felonies; and

WHEREAS, The present Criminal Code is not adapted to the speedy prosecution and conviction of criminals on account of its outworn and archaic forms and precedents; and

WHEREAS, The last Legislature provided for the formation of a crime commission, and that said crime commission has formulated and reported to the present Legislature many necessary, good and salutary changes in our Criminal Code which would expedite and assist in the conviction of criminals and thus secure the protection of honest and lawabiding people in their inherent and guaranteed rights under the constitution and the laws; and

WHEREAS, The reforms so embodied into proposed bills and measures before the present Legislature have been approved by the State Bar Association of this State; therefore, be it

*Resolved*, By the official board and the men's Bible class of the First Methodist Episcopal Church of Santa Ana, California, having an adult membership of 1128, that we respectfully demand that our representatives in the State Legislature support and vote for such measures as may come before this Legislature, which have been submitted by the Tuller Crime Commission, and such other measures which shall have for their object the expediting of criminal prosecutions, the reform of our criminal procedure, the swift and certain punishment of criminals to the end that the great

body of citizens of this State may be protected from the wanton and criminal acts of the criminal class so as to secure security in person and property as against the common enemies of law and order, and of society; be it further

*Resolved*, That a copy of this resolution be sent to our representatives in the Senate and Assembly, urging them to support the same.

State of California, )  
County of Orange, } ss.

We hereby certify the foregoing to be a true copy of the resolution passed by the official board and the men's Bible class on March 7, 1927.

A. G. DIEHL,

Secretary of the Men's Bible Class.

JESSE ALBRIGHT, Secretary of the Official Board.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 841—An act to amend section 97 of the Code of Civil Procedure, relating to the salaries of justices of the peace in cities and counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 634—An act to amend section 2 of an act entitled "An act providing for the publication of an index of the laws of California and making an appropriation therefor," approved May 23, 1919, as amended, relating to the price of such index.

Bill read second time, ordered engrossed, and on file for third reading.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 439—An act to create the State Park Commission; to define its powers and duties; to make an appropriation therefor and to establish a contingent fund and a revolving fund;

Also: Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for state parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying of this survey;

Also: Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State park bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of ten thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended, and be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—11; absent—2.

SWING, Chairman.

Senate Bills Nos. 439, 440 and 441 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 439—An act to create the State Park Commission; to define its powers and duties; to make an appropriation therefor and to establish a contingent fund and a revolving fund.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the entire title, and add a new title as follows:

An act to provide that the department of natural resources, through the state park commission, shall have control of the state park system, to establish and define the state park system; to define certain powers and duties of the state park commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund.

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 15, inclusive (all of section 1), and substitute the following new section:

**SECTION 1.** The department of natural resources, through the state park commission, shall have control of the state park system of California.

**Amendment adopted.**

## AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out the words "For the purpose of this act."

**Amendment adopted.**

## AMENDMENT NUMBER FOUR.

On page 1, line 25, of the printed bill, insert after the word "government" the words "and administration."

**Amendment adopted.**

## AMENDMENT NUMBER FIVE.

On page 2, lines 1 to 3, of the printed bill, strike out the words "with the approval of the state board of control to fix the salaries of the state park director and other employees of the state park commission."

**Amendment adopted.**

## AMENDMENT NUMBER SIX.

On page 2, line 26, of the printed bill, after the word "commission" insert "with the consent of the governor and the board of control."

**Amendment adopted.**

## AMENDMENT NUMBER SEVEN.

On page 2, line 52, of the printed bill, strike out the words "director of state parks", and insert, in lieu thereof, the words "chief of the division of parks".

**Amendment adopted.**

## AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out lines 3 to 9, inclusive (all of section 7), and substitute the following new section:

**Sec. 7.** There is hereby created the state park contingent fund. All moneys collected or received from gifts or bequests, or from municipal or county appropriations or donations for the improvement and or additions to the state park system shall be deposited in the state treasury to the credit of said contingent fund. All moneys so deposited shall be used for the improvement and or administration of state parks and/or the acquisition of additional lands and properties for the state park system, in accordance with the terms of the gift, bequest or municipal or county appropriation or donation from which the said moneys are derived. All moneys collected by the state park commission from fees or charges shall be deposited in the general fund of the State of California.

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying of this survey.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In title to act on printed bill, last line, after the word "carrying" insert the word "on".

Amendment adopted.

AMENDMENT NUMBER TWO.

In title to act on printed bill, last line, after the word "survey" add the following: "and repealing an act entitled 'An act relating to the acquisition by the state of forest land for park purposes; authorizing the state board of forestry to make a survey and report on all suitable forest park sites in the state; providing a method for procuring such parks by purchase, gift, devise, donation or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for assistance by the attorney general; vesting the state board of forestry with jurisdiction and control of such parks after their acquisition by the state and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act,' approved May 29, 1923."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, after the title "Section 1", insert the following: "The department of natural resources, through".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, strike out the figures "1929" and insert in lieu thereof the figures "1928".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 15, of the printed bill, strike out the words "Section 1 of".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 6, 7, 8 and 9, of the printed bill, strike out the following: "providing for such a survey by the state board of forestry, and that portion of section 2 of the same act pertaining to such a survey by the state forestry board, are", and insert in lieu thereof the word "is".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 10 and 11, inclusive (all of section 4), and substitute the following new section:

SEC. 4. Out of any moneys in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars is hereby appropriated to be expended in accordance with law for the purpose of carrying out the provisions of this act.

Amendment adopted

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State Park Bonds," to provide

for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the words "are desirable" and insert in lieu thereof the words "shall be suitable".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the word "provided" strike out the word "for".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, after the numerals "19" insert the numerals "34".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, after the numerals "19" insert the numerals "57".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, after the comma after the word "death", insert the word "resignation".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 34, of the printed bill, after the comma after the word "office", insert the phrase "expiration of term of office".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, strike out all of lines 19 to 51, inclusive, and insert the following:

Such resolution of the state park commission shall specify the amount of money which in the judgment of said state park commission shall be required at such time, and the said state park finance board shall direct the state treasurer to sell such number of bonds as will at the par value thereof equal said amount of money so required according to such resolution of the state park commission. Each such resolution of the state park commission shall embody and contain a certificate of the following facts:

1. That the amount of money specified is required to enable the state park commission to fulfill the terms of a certain contract, (describing it in general terms sufficient to identify it), and that said contract has been duly executed by all of its parties; or that an award or valuation in condemnation proceedings has been made which is equal to the amount of money specified.

2. That there are not available funds in the California state park fund of 1927, hereinafter referred to, sufficient to pay the purchase price or money obligation specified in said contract, or award in condemnation proceedings, to be paid by the State of California; or if there are funds in amount sufficient for such purpose, that such funds have been and are allocated to the payment of other obligations incurred or contracted for by the said state park commission; or if some or all of



said funds in said California state park fund of 1927 are not allocated to the payment of other obligations, that the amount of money required by said resolution, together with such non-allocated funds in the California state park fund of 1927, is not more than ten per cent more than the amount which will be required to perform the contract or pay the award in condemnation proceedings relating to the project for which funds are required, as stated in said resolution of the state park commission.

Anything to the contrary in this act appearing notwithstanding the state park finance board shall direct the sale of bonds only when there has been deposited with the state treasury a fund from private gift, city or county appropriation, or from some source other than appropriation by the people of the State of California, or the sale of state bonds, which shall be equal to the amount to be realized for the project intended to be accomplished from the sale of bonds as herein above provided, except that the state park finance board shall authorize the sale of bonds for the purposes indicated in this act to carry out any park project for the acquisition of lands and properties when it is shown to the satisfaction of the state park finance board that half of the total value involved in such project has been provided from sources other than appropriation by the people of the State of California or the sale of state bonds, in the form of land, timber or other properties, or in money, or in any or all such properties. Any and all directions of the state park finance board requiring the state treasurer to sell any of the bonds herein provided for shall be deemed conclusive evidence that all conditions requisite to a valid issuance and sale of the bonds so directed to be sold have been met, performed and complied with.

Amendment adopted.

#### AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, strike out all of lines 1 and 2.

Amendment adopted.

#### AMENDMENT NUMBER NINE.

On page 5, of the printed bill, strike out lines 27, 28, 29, and the words "as hereinbefore provided", in line 30, and insert in lieu thereof the following: "California state park fund of 1927, hereinafter referred to".

Amendment adopted.

#### AMENDMENT NUMBER TEN.

On page 6, line 18, of the printed bill, insert the following after striking out lines 18 to 25 inclusive:

Sec. 6. There is hereby created in and for the state treasury a fund to be known and designated as "The California state park fund of 1927," and immediately upon the receipt of the purchase price from each sale of bonds sold as provided in this act, the state treasurer shall pay into the state treasury and cause to be placed in the said California state park fund of 1927, the amount received as the purchase price of said bonds, except such amount as may have been paid as accrued interest thereon. Whenever any of the bonds authorized by this act shall be sold pursuant to a resolution of the state park commission, as provided in section 5 of this act, the funds realized from such sale shall be deemed to be allocated to the accomplishment of the purpose specified in said resolution of the state park commission and shall not be used for any other purpose: *provided, however*, that if after such sale the said state park commission shall certify in writing to the state treasurer and to the state park finance board that the contract intended to be performed by application of the funds realized from such sale of said bonds has been cancelled, rescinded or become impossible of performance, or that the project intended to be accomplished through condemnation proceedings has been abandoned or become impossible of performance, and that such contract or award is no longer a valid charge or the basis of a valid claim against the State of California or the said state park commission, then upon the filing of such certificate the said funds shall be released from the purpose to which they were allocated and shall be and become available for the acquisition of any lands and other properties which the said state park commission shall deem suitable to be included in the California state park system. *Provided*, that none of said funds shall be expended unless there shall have been deposited in the state treasury a fund from some source other than appropriation by the people of the State of California, or the sale of state bonds, equal to the amount to be expended from said funds, or a donation equal in value to the amount of said funds intended to be expended shall have been made from sources other than appropriation by the people of the State of California, or the sale of state bonds, in the form of land, timber or other property, or in money, or in any or all of such properties.

Amendment adopted.



## AMENDMENT NUMBER ELEVEN.

On page 6, line 32, of the printed bill, strike out the numeral "6" after the word "Sec.", and insert the numeral "7".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 6, line 37, of the printed bill, strike out the numeral "7" after the word "Sec.", and insert the numeral "8".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 7, line 7, of the printed bill, after the numerals "10" insert the numeral "34".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 7, line 14, of the printed bill, strike out the numeral "8" after the word "Sec.", and insert the numeral "9".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 7, line 27, of the printed bill, strike out the numeral "9" after the word "Sec.", and insert the numerals "10".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 7, line 33, of the printed bill, strike out the numerals "10", after the word "Sec.", and insert the numerals "11".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 7, between lines 43 and 44, of the printed bill, insert the following  
SEC. 12. The words "State Park Commission," whenever used in this act, shall be construed to mean and to designate the commission so entitled and existing at the date of approval of this act by the governor, if any such commission there be, and if not, or in event that said commission shall hereafter be abolished or cease to exist, then said words "state park commission" shall be construed to mean and designate such other board, department, officer or commission as may from time to time be charged with the development and maintenance of the California state park system.

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 7, line 44, of the printed bill, after the word "Sec." change the numerals "11" to "13".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 7, strike out lines 46, 47, 48, 49 and 50, of the printed bill.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners—

has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be re-referred to Committee on Commerce and Navigation.

Committee membership—9; committee vote: Ayes—6; absent—3.

TAYLOR, Chairman.

Senate Bill No. 49 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 25, of the printed bill, strike out "a", "b", and "c" and insert in lieu thereof "a", "b", "c", and "d".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Commerce and Navigation.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

##### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 162—An act concerning aeronautics and to make uniform the law with reference thereto:

Also: Senate Bill No. 172—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant;

Also: Senate Bill No. 533—An act to amend an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXIV of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, by adding two new sections numbered 2a and 2b;

Also: Senate Bill No. 534—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b;

Also: Senate Bill No. 581—An act to add a new section to the Code of Civil Procedure to be numbered 1983, relating to the burden of proof in certain cases;

Also: Senate Bill No. 601—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public

work or property," approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4:

Also: Senate Bill No. 682—An act to repeal section 598 of the Civil Code, relating to the sale of real property, and granting of easements by religious corporations;

Also: Senate Bill No. 685—An act to repeal chapter III of title X of part IV, division III of the Civil Code, and to add a new chapter III of part IV, division III, in place thereof, all relating to limited partnerships, and to make the law relating to limited partnerships uniform with the law of other states;

Also: Senate Bill No. 686—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bills Nos. 162, 172, 533, 534, 581, 601, 682, 685 and 686 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code consisting of sections 350 to 350r, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states;

Also: Senate Bill No. 160—An act to amend section 542 of the Code of Civil Procedure, relating to attachments of real and personal property;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they be amended, and re-referred to committee.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bills Nos. 159 and 160 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code consisting of sections 350 to 350r, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 6, line 11, of the printed bill, strike out beginning with the numerals "350r" and ending with the word "article" in line 12, reading as follows: "350r. The provisions of this article apply only to certificates issued after the taking effect of this article."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 6, line 13, of the printed bill, strike out the letter "r" after the numerals "350" and insert in lieu thereof the letter "v".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 6, line 15, of the printed bill, strike out the letter "r" after the numerals "350" and insert in lieu thereof the letter "w".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 5, line 46, of the printed bill, strike out the words "mortgagee or as".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 160—An act to amend section 542 of the Code of Civil Procedure, relating to attachments of real and personal property.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2, lines 35 and 40 of the printed bill, strike out beginning with the word "stocks" in line 35 and ending with the word "writ" in line 40, and insert in lieu thereof the following: "Stocks or shares of stocks or interest in stocks or shares of any corporation or company, for which a certificate is outstanding, must be attached by taking the certificate into custody or on surrender of the certificate to the corporation which issued it after there has been left with the president or other head of the said corporation, or the secretary, cashier or other managing agent thereof, a copy of the writ and a notice stating that the stock or interest of the defendant is attached in pursuance of such writ or by enjoining the transfer by the holder thereof."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 243—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the constitution of municipal courts and the compensation of judges, officers and attaches of such courts in cities or cities and counties of the first and one-half class;

Also: Assembly Bill No. 579—An act to add a new section to the Code of Civil Procedure, to be numbered 1900a, relating to uniform proof of statutes; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Assembly Bills Nos. 243 and 579 ordered on file for second reading.

## SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign



markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 15, line 4, of the printed amended bill, strike out the word "Palomino".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 22, line 16, of the printed amended bill, strike out the words "twenty, twenty-two and twenty-four" and in lieu thereof substitute the figures "20, 22 and 24".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 23, line 29, of the printed amended bill, between the word "cuts" and the comma insert the words "or skin breaks".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 31, line 8, of the printed amended bill, strike out the period and in lieu thereof insert a comma followed by "and, in addition, that the juice of the edible portion shall contain not less than eight per cent soluble solids as determined by the Balling or Brix scale hydrometer."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2 of the amended printed bill, strike out all of line 37 after the period, and all of lines 38, 39 and 40.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act, relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 308 passed by the following vote:

AYES—Senators Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Tubbs, Wagz, Weller, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Lyon:

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add two new sections to be numbered 2 $\frac{1}{2}$  and 50 $\frac{1}{2}$  to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities.

Request referred to Committee on Rules.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 537—An act to amend the California Irrigation District Act approved March 31, 1897, as amended, by amending sections 85, 86, 87, and 90 thereof, relating to the inclusion of land within districts after their organization;

Also: Assembly Bill No. 538—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 56 thereof, relating to interference by irrigation districts with property subject to public use;

Also: Assembly Bill No. 608—An act to amend section 682 of the Political Code, relative to the powers of the Board of Control;

Also: Assembly Bill No. 688—An act to amend section 4041f of the Political Code and to add a new section to said code, to be numbered 4408a, relating to homes and meeting places for veterans;

Also: Assembly Bill No. 796—An act authorizing the State Board of Forestry to receive in the name of the State of California gifts or donations of lands for forest and watershed purposes;

Also: Assembly Bill No. 801—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident or on account of fire.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 537 and 538 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 608 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 688 read first time, and referred to Committee on Military Affairs.

Assembly Bill No. 796 read first time, and referred to Committee on Conservation.

Assembly Bill No. 801 read first time, and referred to Committee on Prisons and Reformatories.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 571—An act to amend section 1771 of the Political Code, relating to the suspension or revocation of teachers' certificates;

Also: Assembly Bill No. 704—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors

of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b;

Also: Assembly Bill No. 913—An act to amend section 4 of an act entitled "An act to create a fund to be known as the United States forest reserve fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of the expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to apportionment of unapportioned funds;

Also: Assembly Bill No. 916—An act amending the Political Code by adding a new section thereto, to be numbered 1536, to establish a State Curriculum Commission for the public schools of the State;

Also: Assembly Bill No. 1020—An act authorizing the Governor, as trustee, to receive on behalf of the National Guard of the State of California, certain funds from the Secretary of War of the United States.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 571 read first time, and referred to Committee on Education.

Assembly Bill No. 704 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 913 read first time, and referred to Committee on Conservation.

Assembly Bill No. 916 read first time, and referred to Committee on Education.

Assembly Bill No. 1020 read first time, and referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 37—An act to amend an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by adding thereto a new section to be known as section 19a, to provide for the joint administration of county sanitation districts;

Also: Assembly Bill No. 90—An act to amend section 978 of the Code of Civil Procedure, relating to appeals to superior courts;

Also: Assembly Bill No. 168—An act to amend section 1838 of the Political Code, relating to a building fund tax;

Also: Assembly Bill No. 175—An act to amend section 1553 of the Political Code, relating to superintendents of schools;

Also: Assembly Bill No. 176—An act to add a new section to the Political Code, to be numbered 1858a, relating to an emergency fund for the relief of school districts suffering from an unusual increase in school attendance;

Also: Assembly Bill No. 406—An act to amend section 65 of the "State Housing Act," approved June 15, 1923, as amended, relating to use of rooms in buildings subject to the provisions of the act;

Also: Assembly Bill No. 516—An act to approve, confirm, ratify and validate sales and conveyances of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 37 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 90 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 168, 175 and 176 read first time, and referred to Committee on Education.

Assembly Bill No. 406 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 516 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following—Senate Bill No. 202—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*af*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 202 ordered to enrollment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Jones, H. C.: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, that a new section to be numbered 23 be added to article XX of the constitution of said State, relating to the creation of a State Water Commission.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Friday, March 11, 1927.

IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, March 11, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 10, 1927, the further reading was dispensed with, on motion of Senator Rush.



## LEAVES OF ABSENCE.

Senator Allen, J. M., was, on motion of Senator Slater, granted leave of absence for this day.

Senators Hurley and Christian were, on motion of Senator West, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Walter McGovern of San Francisco, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Frank Hance of Monrovia, California, coroner of Los Angeles County.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Charles Whitmore and Mrs. Richard Hyde of Visalia, California.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. John Eshleman and Miss Catherine Eshleman.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. R. E. Messner of San Rafael, California, county surveyor of Marin County.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Allen T. Moore of Orland, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the following students of Mt. Diablo High School of Concord, California: Clarice Anderson, Hugh Amerine, L. Arendtson, L. Azeveda, Caroline Alves, Will Brooke, E. Bisso, Elmer Blume, Dan Baldwin, Dorothy Chivree, C. Cereghino, H. Caudel, Melvin Christian, T. Cereghino, M. Crenna, Aileen Costa, K. De la Gardelle, H. Davis, E. Duarte, I. Dukes, Leland Decker, Esther Dunn, Harold Ellis, D. Erlenfeldt, Muriel Engle, Dan Eekley, Edna Flaekus, Alvin Frank, Olive Faria, E. Gaddis, Warren Gavey, J. Gilliland, Ruth Galindo, Ned Higgins, Paul Heide, J. Hicks, F. Humphrey, Victorine Hough, May Hatcher, Robert Hatcher, Edwin Johnson, James Johnson, Imre Jelenfy, Doris Keller, Karl Kurzbin, A. Kennerley, L. Lee, Warren Lamb, Iris Lane, Pearl Lee, Florence Lee, Ruth Linn, Miner Macey, D. Matheson, Rowena Moore, F. Marshall, Alice Michaut, John Mellor, G. Mullikan, L. Narberes, F. Norris, Melvin Nunez, Grace Noia, Manuel Oliver, G. Peters, H. Perkins, P. Palubicki, A. Pacini, Anne Pacini, E. Quittner, C. Reed, Maxine Roche, M. Richardson, Lawrence Rosa, H. Rogers, Mabel Symmons, B. Sparrow, B. Soder, V. Silveira, G. Samuelson, Thelma Treadway, Frances Thusea, V. Van Noy, A. Vasconi, C. Vargus, F. Voelker, Evelyn Whyte, Verl Wiard, George Williams, Gladys Williams, Jack Williams, George Wildes and Walter Weldon.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. J. N. La Rue of Dinuba, California, and Mrs. F. M. Pfrimmer of Porterville, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. J. J. Crowley, Mrs. P. J. Gray, and Miss Mary McAleer of San Francisco, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Richard Simon, president Gough Oral Deaf Parent-Teachers' Association, and Mrs. H. C. Rothwell of San Francisco, California, second vice president of San Francisco Congress of Parents and Teachers.

#### REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

##### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 321—An act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of California to the extent that the cost of such services shall be provided for by the Congress of the United States through federal appropriations:

Also: Senate Bill No. 141—An act to add two new sections to the Political Code to be numbered 2261 and 2262, relating to establishment of kindergarten service for the blind and for vocational training in schools for the blind:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15, committee vote: Ayes—15.

SLATER, Chairman.

Senate Bills Nos. 321 and 141 ordered on file for second reading.

#### CONSIDERATION OF DAILY FILE.

##### SECOND READING OF SENATE BILLS.

Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 151—An act to add a new section to the Political Code to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners.

##### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "control" and insert in lieu thereof the word "construct", and on page 2, strike out line 25, "Sec. 3. This act shall take effect immediately."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 102.—An act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 162.—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 172.—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 533.—An act to amend an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter CXLV of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, by adding two new sections numbered 2a and 2b.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 534.—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 581.—An act to add a new section to the Code of Civil Procedure to be numbered 1983, relating to the burden of proof in certain cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 601.—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries



to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 682—An act to repeal section 598 of the Civil Code, relating to the sale of real property, and granting of easements by religious corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 685—An act to repeal chapter III of title X of part IV, division III of the Civil Code, and to add a new chapter III of part IV, division III, in place thereof, all relating to limited partnerships, and to make the law relating to limited partnerships uniform with the law of other states.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 686—An act to repeal chapter I and articles I to VI, inclusive, of chapter II of title X of part IV, division III of the Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III of the Civil Code, by making said article VII, chapter II of title X of part V, division III, of the Civil Code: all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states.

Bill read second time, ordered engrossed, and on file for third reading.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 259—An act to add a new section to the Political Code, to be numbered 629*b*, relating to group life insurance;

Also: Senate Bill No. 703—An act to amend section 453*b**b* of the Civil Code, and to add a new section thereto, to be numbered 453*h**h*, relating to mortgage insurance;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—8.

HOLLISTER, Chairman.

Senate Bills Nos. 259 and 703 ordered on file for second reading.

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real



Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the licensing of real estate brokers and salesmen;

Also: Senate Bill No. 337—An act to amend sections 24 and 25 of an act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, approved June 16, 1913, as amended, relating to party conventions and nomination papers;

Also: Senate Bill No. 348—An act to establish standards for field crop products and related agricultural products, providing for the sampling, grading, inspection and certification thereof, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing penalties for violation of the provisions hereof, and repealing the California Grain Standardization Act, approved June 3, 1921;

Also: Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act;

Also: Senate Bill No. 437—An act to add a new section to the Code of Civil Procedure to be numbered 1454a, relating to the collection of money by heirs;

Also: Senate Bill No. 438—An act to amend section 641 of the Civil Code, relating to guarantee stock dividends and reserve fund of building and loan associations;

Also: Senate Bill No. 435—An act to amend sections 2 and 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relating to the salaries and expenses of the Building and Loan Commission and the building and loan inspection fund;

Also: Senate Bill No. 813—An act to amend section 633 of the Civil Code, relating to building and loan associations;

Also: Senate Bill No. 500—An act to amend sections 983, 984 and 985 of the Code of Civil Procedure and to add nine new sections to said code to be numbered, respectively, 986, 987, 988, 988a, 988b, 988c, 988d, 988e, 988f, 988g, and 988h, relating to appeals from municipal courts;

Also: Senate Bill No. 155—An act to amend section 274 of the Code of Civil Procedure, relating to fees of court reporters;

Also: Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information;

Also: Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases;

Also: Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail;

Also: Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases;

Also: Senate Bill No. 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases;

Also: Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case;

Also: Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense;

Also: Senate Bill No. 252—An act to amend section 3465 of the Political Code, relating to swamp and overflowed salt marsh and tidelands;

Also: Senate Bill No. 843—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927;

Also: Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations;

Also: Senate Bill No. 465—An act to amend section 626k of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 624—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer;

Also: Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section, to be numbered 14½, to article XIII of said constitution, relating to the taxation of foreign insurance corporations.

On motion of Senator Inman, Senate Constitutional Amendment No. 3 was passed on file, to retain its place on file.

Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the licensing of real estate brokers and salesmen.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 241 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, McKinley, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 337—An act to amend section 25 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees," approved April 7, 1911, as amended, relating to nomination papers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Maloney, McKinley, Murphy, Nelson, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 34—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

In the absence of the author, Senate Bill No. 34 was ordered passed on file.

Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations.

On motion of Senator Johnson, Senate Bill No. 338 was passed on file.



Senate Bill No. 500—An act to amend sections 983, 984 and 985 of the Code of Civil Procedure and to add nine new sections to said code to be numbered respectively 986, 987, 988, 988*a*, 988*b*, 988*c*, 988*d*, 988*e*, 988*f*, 988*g* and 988*h*, relating to appeals from municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 50 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and seven minutes a.m., Arthur H. Breed, President pro tempore of the Senate, was called to the chair.

Senate Bill No. 155—An act to amend section 274 of the Code of Civil Procedure, relating to fees of court reporters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 155 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption.

On motion of Senator Sharkey, Senate Bill No. 154 was passed on file.

Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information.

On motion of Senator Baker, Senate Bill No. 388 was passed on file.

Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases.

On motion of Senator Baker, Senate Bill No. 361 was passed on file.

Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail.

On motion of Senator Baker, Senate Bill No. 364 was passed on file.



Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases.

On motion of Senator Baker, Senate Bill No. 384 was passed on file.

Senate Bill 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases.

On motion of Senator Baker, Senate Bill No. 385 was passed on file.

Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case.

On motion of Senator Baker, Senate Bill No. 386 was passed on file.

Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

On motion of Senator Baker, Senate Bill No. 387 was passed on file.

SENATOR JONES IN THE CHAIR.

At eleven o'clock and fourteen minutes a.m., Senator H. C. Jones of the Twenty-eighth District was called to the chair.

Senate Bill No. 252—An act to amend section 3465 of the Political Code, relating to swamp and overflowed salt marsh and tidelands.  
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 252 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 843—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 843 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C.,

Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations.

On motion of Senator Baker, Senate Bill No. 612 was passed on file.

Senate Bill No. 465—An act to amend section 626k of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 465 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 624—An act to amend section 452 of the Political Code, relating to the duties of the State treasurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 624 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

On motion of Senator Kline, Senate Bill No. 615 was passed on file.

#### SENATOR CROWLEY IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Senator Crowley of the Twenty-second District was called to the chair.

Senate Bill No. 294—An act to amend section 718 of the Civil Code relating to restraints upon alienation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 294 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagz, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 437—An act to add a new section to the Code of Civil Procedure, to be numbered 1454a, relating to the collection of money by heirs.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C. Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagz, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 438—An act to amend section 641 of the Civil Code, relating to guarantee stock dividends and reserve fund of building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 438 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C. Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagz, Weller, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Senate Bill No. 435—An act to amend sections 2 and 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relating to the salaries and expenses of the Building and Loan Commission and the Building and Loan Inspection fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 435 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Waggy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 813—An act to amend section 633 of the Civil Code, relating to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 813 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 348—An act to establish standards for field crop products and related agricultural products, providing for the sampling, grading, inspection and certification thereof, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing penalties for violation of the provisions hereof, making an appropriation to carry out the provisions of this act, establishing the field crops inspection fund and repealing the California Grain Standardization Act, approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 348 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 243—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the constitution of municipal courts and the compensa-



tion of judges, officers and attaches of such courts in cities or cities and counties of the first and one-half class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 579—An act to add a new section to the Code of Civil Procedure, to be numbered 1900*a*, relating to uniform proof of statutes.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 841—An act to amend section 97 of the Code of Civil Procedure, relating to salaries of justices of the peace in cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 841 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ASSEMBLY JOINT RESOLUTION No. 4.

Relative to memorializing Congress to adopt a bill to provide compensation in lieu of taxes for the several states with respect to certain lands of the United States within the borders of said states, and for other purposes.

WHEREAS, There has been introduced a bill in the House of Representatives of the United States, being H. R. 7075—sixty-ninth Congress, first session, which provides: "That the United States government hereby assumes, subject to the conditions of this act or any subsequent act of Congress, the payment to the several states of sums of money equivalent to the amounts which such states would receive from the taxation of said lands of the United States within their respective borders if such lands were owned by individuals"; and

WHEREAS, Under an act of Congress of the United States approved March 3, 1891, large areas of territory with the timber and other resources thereon and therein were "set apart, reserved, and withdrawn from entry" in the states of California, Oregon, Washington, Idaho, Montana, Wyoming, Colorado, Utah, Nevada, Arizona and New Mexico and in a lesser degree in several of the other states of the Union; and

WHEREAS, The United States government has withdrawn, set apart and reserved within permanent national forests 18,891,161 acres of land within the State of California, approximating one-fifth of the total land area of the State, said lands being set apart, withdrawn from entry and reserved for the purpose of conserving the resources thereof and particularly the standing timber thereon for the benefit of future generations of mankind; and

WHEREAS, The lands of the United States above referred to, comprise in several of the counties upwards of one-half of the area within the borders of the counties, and, although exempt from annual taxation, are being put to commercial and industrial uses for the benefit of all the people of the United States, which fact places these lands on the same basis, as to use, as privately owned lands used for the same purpose, and said lands of the United States are in competition with said privately owned lands, and the setting aside, reserving and withdrawing from entry of these large areas of territory in the sparsely settled forest counties and on which the United States pays no taxes, results in throwing a heavy tax burden on privately owned property in the same political subdivision of government thus making the financing of local government a difficult problem indeed; and

WHEREAS, This area is not and can not be taxed by any of the thirty-nine counties of California wherein this vast domain is situated, although each of said counties is required to and do perform therein and thereon all necessary and requisite police powers, equip, maintain and operate schools; equip, maintain and operate courts for the punishment of offenders against the forest and other laws; construct, repair

and maintain trails, roads and bridges and to do and perform such other acts, duties and powers as may be necessary to the enjoyment of such forests by the people of the United States as well as of other nations; and

WHEREAS, When state government was instituted and the several states admitted into the Union they were divided into counties, and townships and each of the states, counties and townships were guaranteed the full right of enjoyment of all the territory and resources within their respective borders and the declared policy of the United States government being to dispose of all the public domain, and article X of the declaration of rights, which formed the basis for the union of the states provides, that "No state shall be deprived of territory for the benefit of the United States." In setting apart, reserving and withdrawing from entry nineteen million acres of land for national forest purposes within the boundaries of a single state, surely territory has been taken from that state for the benefit of the United States; and

WHEREAS, The following clause is contained in the enabling act of every state admitted into the Union, beginning with Ohio in 1803: "The state when admitted shall be on a basis of equality with the original states in all respects whatever." Therefore all political subdivisions of government should be on a basis of equality, which makes it necessary for all to contribute on a basis of equality to the solution of all problems of national necessity (and we deem the national forests to be such a problem), and if in so doing it becomes necessary to take territory and resources from some of the subdivisions of government, and "set apart, reserve or withdraw" the same from entry for the benefit of all the others, then those benefited should join in reimbursing the subdivisions of government from which the territory and resources were taken, otherwise there can be no basis of equality; and

WHEREAS, The Congress of the United States has enacted legislation known as the "exchange bills," and under the provisions of said law, private owners are enabled to exchange cut-over lands for standing timber on the lands of the United States, and since said law has become operative, private owners have availed themselves of the right granted to them under said law and have conveyed hundreds of thousands of acres of such lands to the United States and have received in exchange, hundreds of millions of feet of standing virgin timber from the United States, and as a result of the operation of such legislation, counties in which such exchange have been made or in which such exchanges may hereafter be made, have had or will have taken from them and removed from the assessment rolls of such counties, many thousands of dollars in assessed valuation, and in addition to this loss of assessed valuation such counties are losing the percentage which they would receive were a sale made instead of an exchange, and as Colonel Greeley, chief forester of the United States, has said of this law, "The forest counties lose both going and coming"; and

WHEREAS, The Congress of the United States has enacted the so-called Clark-McNary law, and under the provisions of section 7 of said law, private owners are enabled to donate or devise to the United States lands chiefly valuable for the growing of forests, the private owner reserving the timber, mineral, grazing and other rights and when so conveyed become a part of the national forest reserve and not open to entry or taxation, and should timber owners in some of the counties in several of the western states exercise their just right under this law, and convey their said lands to the United States, thus taking from the assessment rolls of the counties the immense valuation involved and the right of taxation, it will result in putting many of the forest counties of the west out of business, because such counties will be unable to raise sufficient revenue to maintain county government, and if such counties are annexed to a nonforest county in the same state the county to which it is annexed will receive not an asset but a liability; and

WHEREAS, It is only just and right that a heavy burden of local taxation should not be placed annually on the people of any state, in which, and by reason of the fact that, extensive areas of territory having great natural resources, guaranteed to them in the beginning and later legislated from them, have been set apart, reserved and withdrawn from entry for the economic use and benefit of all of the people of the United States, and we believe that if the government of the United States can not afford to finance its national forests, then in right and justice it should not expect the sparsely settled forest counties to do so for it; now, therefore, be it

*Resolved by the Assembly and Senate, jointly,* That the Legislature of the State of California approves of the purpose of the Raker bill referred to and respectfully request its support and adoption, by the Congress of the United States at the earliest possible date; and be it further

*Resolved,* That any moneys to be paid to the State of California, by the United States under the provisions of the Raker bill or any similar bill, or any law enacted by the Congress of the United States, based on forest values of the forest counties of California, shall be divided among said forest counties in proportion to the forest values fixed by the United States bureau of public roads; *provided,* that by the term "forest counties" is meant those counties of California, a part of which are in the present national forests; and *provided, further,* that any portion of the timber sale, grazing or other receipts of national forests returned by the federal government to the State of California, are excepted herefrom; and be it further

*Resolved*, That the Chief Clerk of the Assembly of the State of California be authorized and directed to transmit copies of this resolution by mail to the governors of the states of Oregon, Washington, Idaho, Montana, Wyoming, Utah, Nevada, Colorado, New Mexico and Arizona with the request that similar action be taken by their respective legislatures; and be it further

*Resolved*, That the Chief Clerk of the Assembly of the State of California be authorized and directed to transmit copies of this resolution by mail, to all the members of the Congress and Senate of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, N. M., Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram Johnson, Jones, Ray, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, and Tubbs—24.  
NOES—None.

Title read and approved.

Assembly Joint Resolution No. 4 ordered transmitted to the Assembly.

#### PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Taylor:

#### AN ANALYSIS OF THE REPORT ON PROPOSED PUBLIC BUILDING PROJECTS.

(H. Doc. No. 651.)

Mr. Lineberger. Mr. Speaker, with reference to the public buildings bill which passed last spring and the reports which have recently been made by those officials of the government charged with the investigations of public buildings throughout the United States, I wish to call attention to certain features of that report which to me seem significant.

There are only seven states in the Union which have within their borders more than 75 cities which show postal receipts in excess of \$20,000 per year. In five of those states there is a comparatively small percentage of public buildings, and I wish to call your attention to this:

States	Total cities with postal receipts over \$20,000	Number of cities having federal buildings	Percentage of federal buildings to total number
Pennsylvania	157	63	40.1
New York	149	50	33.6
Illinois	118	67	56.8
Ohio	107	48	44.8
California	100	18	18
New Jersey	77	17	22.1
Texas	77	54	70.1

In this connection, also, let me call your attention to another table showing those states which have less than 50 per cent of their post offices whose federal receipts show an excess of \$20,000 which have federal buildings.

States	Total number of cities	Number having federal buildings	Percentage of federal buildings to total number
California	100	18	18
New Jersey	77	17	22.1
Nevada	3	1	33.3
New York	149	50	33.6
Arizona	11	4	36.3
Oklahoma	41	26	36.5
Florida	43	16	37.2
Pennsylvania	157	63	40.1
Ohio	107	48	44.8
Massachusetts	74	33	45.9
Washington	23	11	47.8

As a matter of further information, let me insert here the balance of that table of percentages arranged in the same order:



States	Total number of cities	Number having federal buildings	Percentage of federal buildings to total number
Idaho	12	6	50
Colorado	22	11	50
Oregon	22	11	50
Connecticut	37	19	51.4
Maryland	13	7	53.8
Wisconsin	64	35	54.7
Illinois	118	67	56.8
New Hampshire	17	10	58.8
Indiana	74	44	59
Minnesota	42	25	59.5
West Virginia	23	14	60.9
Michigan	70	43	61.4
Montana	13	8	61.5
New Mexico	8	5	62.5
Vermont	14	9	64.3
Kansas	46	32	69.6
Texas	77	54	70.1
Iowa	55	39	70.9
Delaware	4	3	75
Arkansas	20	15	75
Kentucky	32	24	75
Maine	24	19	79.1
North Carolina	39	31	79.5
Missouri	38	31	81.6
Nebraska	22	18	81.8
Louisiana	18	15	83.3
Utah	6	5	83.3
Wyoming	6	5	83.3
Alabama	20	17	85
Georgia	34	29	85.3
Rhode Island	7	6	85.7
South Dakota	15	13	86.7
Tennessee	25	23	92
Mississippi	21	20	92.2
Virginia	31	29	93.5
South Carolina	17	16	94.1
North Dakota	10	10	100

The fact that California heads the entire list with only 18 per cent in federal buildings is not a matter of pride to those of us who come from that State. We take pride, however, in the fact that our time has been devoted largely to securing legislation of benefit to the entire United States rather than concentrating or devoting any great amount of time to securing appropriations for local projects, and in this we have the satisfaction of knowing that we have contributed our full measure of service to the country at large.

That California has fewer public buildings in proportion to its needs is a matter which should call for the warm cooperation and assistance of every member of Congress, whether east, west, north, or south, for there is no state in the Union which has contributed more to the wealth of the country. I venture to say, than has the State which I have had the honor to represent here for the past six years.

These figures and statistics are not mine. They are compiled by those departments which have the official reports at their disposal, and I can only hope that there will be no question whatsoever, now or in the future, regarding the needs of California until our State has been given more nearly the fair and equal treatment to which she, with her sister states, is entitled.

Mr. Thatcher. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill.

The Speaker. Is there objection?

There was no objection.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Garrison, to introduce a bill entitled—An act to appropriate money to pay the necessary expenses of the Legislative Committee, appointed pursuant to provisions of Senate Concurrent Resolution No. 21, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof,



witness fees and other miscellaneous expenses—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted. Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, and Taylor—25.

The Secretary announced the absentees.

Time, eleven o'clock and fifty-six minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

#### REPORTS OF STANDING COMMITTEES—(RESUMED).

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

##### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 143—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bill No. 143 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 164—An act to add a new section, to be numbered section 22a, to the "Juvenile Court Law," approved June 5, 1915, as amended, relating to maintenance of public schools in detention homes;

Also: Assembly Bill No. 251—An act to amend section 4279 of the Political Code, relating to salaries of officers of counties of the fiftieth class;

Also: Assembly Bill No. 658—An act to amend section 19r44 of the "Juvenile Court Law," approved June 5, 1915, relating to the salary of probation officers in counties of the forty-fourth class;

Also: Assembly Bill No. 1033—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the Law Library;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bills Nos. 164, 251, 658, and 1033 ordered on file for second reading.

## ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—9.

ALLEN, Chairman.

Senate Constitutional Amendment No. 5 ordered on file.

## ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 228—An act to amend section 4143 of the Political Code, relating to duties of the coroner—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; noes—5.

HANDY, Vice Chairman.

Senate Bill No. 228 ordered on file for second reading.

## ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 124—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Also: Senate Bill No. 258—An act to add a new section, to be numbered section 63½, to the Public Utilities Act, approved April 23, 1915, as amended, relating to increase in rates;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

WAGY, Chairman.

Senate Bills Nos. 124 and 258 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 210—An act to amend section 29 of the "Public Utilities Act," approved April 23, 1915—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; noes—3; absent—1.

WAGY, Chairman.

Senate Bill No. 210 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 768—An act to amend sections 2, 33 and 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by their officers, and the rights and remedies of patrons of other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to definitions—has had

the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

WAGY, Chairman.

Senate Bill No. 768 ordered on file for second reading.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 185—An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of pre-delinquent, psychopathic and maladjusted children has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership 15; committee vote: Ayes 14; noes—1.

SLATER, Chairman.

Senate Bill No. 185 ordered on file for second reading.

#### ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 845—An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

PEDROTTI, Chairman.

TURBS.

CROWLEY.

MUELLER.

MALONEY.

ALLEN, N. M.

KLINE.

Senate Bill No. 845 ordered on file for second reading.

#### REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Inman:

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to authorize and direct the State Board of Control to purchase and invest in, sell and exchange, warrants of the Sacramento and San Joaquin Drainage District issued or to be issued, and payable out of or secured by Sutter-Butte By Pass Assessment Number Six and Feather River Assessment Number Seven, or either of said assessments, or of any new, additional, or supplemental assessments that may be levied upon lands within said Sacramento and San Joaquin Drainage District for the purpose of completing or continuing the work for which said assessments, or either of them, have been levied, or of paying the incidental expenses connected therewith or paying the warrants or other indebtedness thereof; to purchase, sell and exchange bonds based upon such assessments, or either of them, and to exchange said warrants for such bonds; appropriating money therefor and providing for reimbursement of the State for moneys expended or unused in accordance with this act.

Request referred to Committee on Rules.

By Senator Taylor:

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled: "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915.

Request referred to Committee on Rules.

By Senator Baker :

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to provide for the formation, powers, duties, government, and maintenance, of health and sanitary districts in the State; the acquisition, maintenance, improvement and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act.

Request referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 86—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of the polls;

Also: Assembly Bill No. 208—An act to add a new section to the Political Code, to be numbered 1618*b*, relating to the education of persons in tubercular sanatoriums and preventorium;

Also: Assembly Bill No. 493—An act to amend section 1598 of the Code of Civil Procedure, relating to the filing of a petition for executor or administrator to make conveyance or transfer and notice of hearing thereof;

Also: Assembly Bill No. 549—An act to amend section 1662 of the Political Code, and to add a new section to the Political Code to be numbered 1610*a*, relating to schools;

Also: Assembly Bill No. 673—An act to add a new section to the Code of Civil Procedure, to be numbered 1983, relating to the burden of proof in certain cases.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 86 read first time, and referred to Committee on Elections.

Assembly Bill No. 208 read first time, and referred to Committee on Education.

Assembly Bill No. 493 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 549 read first time, and referred to Committee on Education.

Assembly Bill No. 673 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 926—An act to amend sections 5 and 18 of the "California Warehouse Act," approved June 3, 1921, as amended;

Also: Assembly Bill No. 938—An act to add a new section to the Code of Civil Procedure, to be numbered 1274*b*, relating to unclaimed moneys of missing persons;

Also: Assembly Bill No. 1161—An act to repeal an act entitled "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California, and making an appropriation therefor," approved April 25, 1911;

Also: Assembly Bill No. 1166—An act to amend section 37 of an act entitled "An act to be known as the 'Pacific Colony Act' to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons; to provide for the government and maintenance thereof; and for the study of mental deficiency and related problems; to provide for admission and commitment to such institution, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act; to provide for the sterilization of inmates of



such institutions; to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates; or concealing inmates thereof; to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917, as amended, relating to disposition of funds.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 926 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 938 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1161 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1166 read first time, and referred to Committee on Hospitals and Asylums.

#### REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, cut of the regular order:

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 638—An act to amend the California Vehicle Act approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 148, 151, and by adding thereto new sections to be numbered 19½ and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended, and be re-referred to Committee on Motor Vehicles.

(Signed out)

KLINE, Chairman.  
BREED.  
GRAY.  
TUBBS.  
WELLER.  
WAGY.  
SWING.  
MALONEY.  
PEDROTTI.  
JONES, RAY.

Senate Bill No. 638 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 638—An act to amend the California Vehicle Act approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 148, 151, and by adding thereto new sections to be numbered 19½ and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the second line of the title of the printed bill, strike out all after the word "by", and insert in lieu thereof the following: "by amending sections nineteen, twenty-eight, thirty-one, thirty-six, forty-one, forty-two, forty-six, forty-seven, fifty-five, fifty-seven, fifty-eight, sixty, sixty-three, sixty-nine, seventy-seven, seventy-eight, ninety-six, one hundred twelve, one hundred fourteen, one hundred fifteen, one hundred sixteen, one hundred seventeen, one hundred eighteen, one hundred forty-two, one hundred forty-seven, one hundred forty-eight, one hundred fifty-one, and one hundred fifty-nine, and by adding thereto new sections to be numbered nineteen and one-half, twenty-five and one-half, and forty-five and one half, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways."

Amendment adopted.

## AMENDMENT NUMBER TWO.

Strike out all of pages 2 to 9, both inclusive, of the printed bill, and insert in lieu thereof the following:

Sec. 3. A new section to be numbered 25½ is hereby added to said act, to read as follows:

Sec. 25½. Magistrate. Every justice of the peace, judge of a city police or municipal court but excluding a judge sitting as judge of a recorder's court.

Sec. 4. Section 28 of said act is hereby amended to read as follows:

Sec. 28. Public garage. Every building or other place where motor vehicles are kept and stored by the public and where a charge is made for such storage and keeping of motor vehicles.

Sec. 5. Section 31 of said act is hereby amended to read as follows:

Sec. 31. Chief of division to adopt rules and regulations and prescribe forms. The chief of the division of motor vehicles is hereby authorized to adopt and enforce such administrative rules and regulations as may be necessary to carry out the provisions of this act. He shall also prescribe and provide suitable forms of applications, certificates of registration and ownership, operators' licenses and all other forms requisite for the purposes of this act and shall prepay all transportation charges thereon. Whenever the term "certificate of registration" or "registration certificate" is used in the California vehicle act it shall be deemed to mean a registration card and the division is hereby authorized to change the designation "certificate of registration" or "registration certificate" to read "registration card".

Sec. 6. Section 36 of said act is hereby amended to read as follows:

Sec. 36. Application for registration.

(a) Every owner of a motor vehicle, trailer or semitrailer which shall be operated upon the public highways of this state shall for each such vehicle owned, except as herein otherwise provided, apply to the division for the registration thereof.

(b) Application for the registration of a vehicle herein required to be registered shall be made upon the appropriate form furnished by the division and shall contain the name and address of the owner and legal owner, also a description of the vehicle, including the name of the maker, the motor number, the date first sold by the manufacturer or dealer to the consumer and such further description of the vehicle as shall be called for in the form, and such other information as may be required by the division.

(c) In the event that the vehicle to be registered should be a specially constructed, reconstructed or an imported vehicle, such fact shall be stated in the application, and upon the registration of every imported motor vehicle which has been registered theretofore in any other state or country, the owner shall surrender to the division all number plates, seals, certificates of registration or other evidences of such former registration as may be in the applicant's possession or control.

(d) The provisions of this act requiring the registration of certain vehicles shall not apply to fumigating or spraying apparatus, well boring apparatus, wood saws, dollies, nor to implements of husbandry temporarily drawn, moved or otherwise propelled upon the public highways.

Sec. 7. Section 41 of said act is hereby amended to read as follows:

Sec. 41. Certificates of registration and ownership. Upon the registration of a vehicle the division shall issue a certificate of registration to the owner and a certificate of ownership to the legal owner, or both to a person who is both owner and legal owner, which certificate shall meet the following requirements:

1. Both the certificate of registration and the certificate of ownership shall contain upon the face thereof the date issued, the registration number assigned to the owner and to the vehicle, the name and address of the owner and legal owner in typewriting, also such description of the registered vehicle, including the date first sold by the manufacturer or dealer to the consumer and such other statement of facts as may be determined by the division.

2. The reverse side of the certificate of ownership only shall contain forms for notice to the division of a transfer of the title or interest of the owner or legal owner and application for registration by the transferee.

3. Every certificate of registration shall have attached thereto or be accompanied by a similar document identifying the vehicle and the owner, which shall be retained and displayed in the vehicle, as the registration certificate is required to be displayed, during the time the certificate of registration is removed for purposes of transfer or annual renewal of registration.

4. Whenever a vehicle is first registered hereunder the division shall issue a suitable container with a certificate of registration issued for such vehicle. Every owner upon receipt of a certificate of registration shall place the same in the container furnished therewith or heretofore furnished and shall securely fasten the same in plain sight within the driver's compartment of the vehicle for which such certificate is issued, or in the event the vehicle is a motorcycle, a trailer or semitrailer, shall fasten the certificate of registration thereto in plain sight or carry such certificate in the tool bag or other convenient receptacle attached to such vehicle.

SEC. 8. Section 42 of said act is hereby amended to read as follows:

Sec. 42. Plates to be furnished by division.

(a) The division shall also furnish to every owner whose vehicle shall be registered one number plate for a motorcycle, trailer or semitrailer, and two number plates for any motor vehicle other than a motorcycle.

(b) Every number plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, together with the word "California" or the abbreviation "Cal." and the year number for which it is issued.

(c) Number plates furnished for trailers, semitrailers and such vehicles as are exempt from the payment of fees under this act shall display suitable distinguishing marks or symbols, and the numbers assigned in such cases shall run in different numerical series from the numbers assigned to other vehicles registered under the provisions of this act.

SEC. 9. Said California vehicle act is hereby amended by adding thereto a new section to be numbered 45½ to read as follows:

Sec. 45½. Delivery of certificate and report of sales.

(a) Any person who refuses or neglects to deliver a certificate of ownership to a transferee entitled thereto under the provisions of this act shall be guilty of a misdemeanor and be punished as provided in section 153 of this act.

(b) Give notice of sale or transfer. Every dealer, upon transferring a motor vehicle, trailer or semitrailer, whether by sale, lease or otherwise, to any person other than a dealer, shall immediately give written notice of such transfer to the department upon the official form provided by the department. Every such notice shall contain the date of such transfer, the names and addresses of the transferor and transferee and such description of the vehicle as may be called for in such official form.

SEC. 10. Section 46 of said act is hereby amended to read as follows:

Sec. 46. Registration by manufacturers and dealers.

(a) A manufacturer of or dealer in motor vehicles, trailers or semitrailers having an established place of business in this state, owning any such new vehicles and operating them upon the public highways exclusively for the purpose of testing, demonstrating or selling the same, in lieu of registering each such vehicle, may make application upon an official blank provided for that purpose to the division for a general distinguishing number or symbol: *provided*, that vehicles ordinarily used by the dealer or manufacturer in the conduct of his business as work or service vehicles must be registered the same as any other like vehicle as provided in section 36 of the California vehicle act.

(b) The application shall be upon a blank to be furnished by the division and the applicant shall furnish such proof as the division may deem necessary that the applicant is a manufacturer or dealer and entitled to register vehicles under the provisions of this section. The division, upon receipt of such application and when satisfied that the applicant is entitled thereto, shall issue to the applicant a certificate of registration containing the latter's name and business address and the general distinguishing number or symbol assigned to him in such form and containing such further information as the division may determine, and every vehicle owned or controlled by such manufacturer or dealer, and permitted to be registered under a general distinguishing number, while being operated for the purpose of testing, demonstrating or selling the same, shall be regarded as registered hereunder.

(c) The division shall also, upon receipt of such application, or thereafter, furnish to the manufacturer or dealer one or more pair of automobile plates or single plates for other vehicles required by the applicant, and every such plate shall



have displayed upon it the registration number which is assigned to the applicant, with a different letter or symbol on each pair of automobile number plates and on each single plate for other vehicles.

(d) No such manufacturer or dealer shall operate any motor vehicle, trailer or semi-trailer owned or controlled by him upon any public highway or permit it to be so operated, unless number plates assigned to him are attached thereto, in the manner hereinbefore specified in this act, excepting only that it shall be permissible for such manufacturer or dealer to operate any such vehicle without number plates attached thereto from any vessel, railroad depot or warehouse over the public highways, to the salesrooms or other place of business of such manufacturer or dealer, or to a warehouse or other place of storage under a written permit authorizing such operation first obtained from the police authorities or marshal of the city or town in which said vessel, railroad depot or warehouse is situated, and there is hereby conferred upon police authorities, including town marshals within the State of California, authority to issue such permits in proper cases as hereinbefore provided.

(e) The division of motor vehicles may, at its discretion, grant a ten days' temporary permit to operate a vehicle for which registration has been applied.

SEC. 11. Section 47 of said act is hereby amended to read as follows:

Sec. 47. Registration by non-residents.

(a) A non-resident owner of a motor vehicle, trailer or semi-trailer which has been duly registered for the current year in the state or country of which the owner is a resident and in accordance with the laws thereof, may, in lieu of registering such vehicle as otherwise required by this act, apply to the division for the registration thereof as provided in this section, except that the privileges granted in this section shall not apply to any motor vehicle operated within this state for the transportation of persons or property for compensation.

(b) The non-resident owner shall within ten days after commencing to operate such vehicle or causing or permitting it to be operated within this state apply to the division for the registration thereof upon the appropriate official form stating therein the name and home address of the owner and the temporary address, if any, of the owner while within this state, the registration number of said vehicle assigned thereto in the state or country in which the owner is a resident, together with such description of the motor vehicle as may be called for in the form and such other statements of facts as may be required by the division.

(c) The division shall file each application received and register the vehicle therein described and the owner thereof in suitable books or on index cards, and shall without charge, issue to the owner a registration certificate of a distinctive form containing the date it is issued, a brief description of the vehicle and a statement that the owner has procured registration of such vehicle as a non-resident.

(d) No non-resident owner of a motor vehicle, trailer, or semitrailer shall operate any such vehicle or cause or permit it to be operated upon the public highways of this state, either before or while it is registered under this section, unless there shall at all times be displayed thereon the registration number plates assigned to said vehicle for the current calendar year by the country or state of which such owner is a resident, nor unless the certificate of registration, when issued thereto as in this section provided, shall be placed on the windshield of said motor vehicle in the manner to be specified by the division, and on any other vehicle in plain sight and in the manner to be specified by the division.

(e) Every certificate of registration issued pursuant to this section shall be valid not to exceed six months from date of its issuance.

SEC. 12. Section 55 of said act is hereby amended to read as follows:

Sec. 55. Report of stolen and embezzled motor vehicles.

(a) The owner or legal owner of any motor vehicle, trailer or semitrailer which is stolen or embezzled may notify the division of such theft or embezzlement, provided in the case of an embezzlement the owner or legal owner shall have first procured a warrant for the arrest of the person charged with such embezzlement. Every owner or legal owner who has given such notice must notify the division of the recovery of such vehicle. Upon receipt of a notice of theft or embezzlement of a vehicle the division shall immediately suspend the registration of such vehicle until such time as it shall be notified that the owner has recovered such vehicle. Notices given under this section shall be effective only during the current registration year in which given.

(b) Upon the report to any county sheriff or chief of police or peace officer that a motor vehicle has been stolen, and in the event such vehicle has not been recovered within one week from the time of such theft, the officer to whom such report was made shall then make immediate report of such theft upon the appropriate official form to the division of motor vehicles and any officer upon receiving information that any motor vehicle which has previously been reported as stolen has been recovered, shall immediately report the fact of such recovery to the division.

(c) The division shall file all such reports of stolen and recovered motor vehicles and appropriately index the same and shall not register any motor vehicle or transfer the registration thereof without first checking the engine and serial



numbers shown in the application therefor against the stolen and recovered motor vehicle index and satisfying the division that the motor vehicle sought to be registered or transferred is not a stolen motor vehicle.

SEC. 13. Section 57 of said act is hereby amended to read as follows:

SEC. 57. Public garages, records to be kept. Every person engaged in the business of conducting a public garage shall keep a written record of every motor vehicle stored therein for compensation for a period longer than twelve hours, which record shall include the name and address of the person storing such vehicle together with a brief description of such vehicle including the name or make, the motor number and the license number thereof as shown by the number plates and registration certificate upon such vehicle. Every such record shall be open to inspection by any peace officer. Whenever any motor vehicle has been stored in a public garage for thirty days and the owner or his address is unknown to the garage proprietor, the latter shall immediately report the presence of such motor vehicle in the garage to the police or sheriff's office in the city or county wherein such garage is located.

SEC. 14. Section 58 of said act is hereby amended to read as follows:

SEC. 58. Operators and chauffeurs must be licensed.

(a) It shall be unlawful for any person to drive a motor vehicle upon any public highway in this state, whether as an operator or a chauffeur, unless such person has been licensed as an operator or chauffeur; except such persons as are expressly exempted under this act.

(b) Every person before driving a motor vehicle as an operator shall apply to the division for an operator's license, and every person before driving a motor vehicle as a chauffeur shall apply to the division for a chauffeur's license, except as herein otherwise provided.

SEC. 15. Section 60 of said act is hereby amended to read as follows:

SEC. 60. What persons need not apply for a license.

(a) A nonresident operator or chauffeur, who has complied with the laws of the country or state of his residence relative to persons operating motor vehicles, and who while operating a motor vehicle in this state shall wear such badge conspicuously upon an outer garment and carry such license certificate as may have been assigned to him in the country or state of his residence, shall be exempt from license hereunder for a period not to exceed six months in any one calendar year.

(b) Every person enlisted in the military service of the United States and acting as chauffeur in such service shall while acting in such service be exempt from the provisions hereof requiring that a chauffeur's license be procured.

(c) No person shall be required to obtain an operator's or chauffeur's license for the purpose of operating or driving implements of husbandry temporarily drawn, propelled or moved on the public highways.

SEC. 16. Section 63 of said act is hereby amended to read as follows:

SEC. 63. Division shall examine applicants.

(a) The division shall require every applicant upon first applying for an operator's or chauffeur's license, and before issuing any such license, to submit to an examination by the division or its authorized representatives as to the qualifications of such applicant for a license, and the division shall make provision for examination in the county wherein the applicant may reside within not more than five days from the date such application is presented to the division; *provided*, that a licensed operator may drive a vehicle as a chauffeur after applying for a chauffeur's license and pending an examination and action by the division upon such application for a chauffeur's license. The examination shall include a test of the applicant's hearing and eyesight and of his ability to understand highway warning and direction signs and he shall be required to give an actual demonstration of his ability to exercise ordinary and reasonable control in the operation of a motor vehicle by driving the same under the supervision of an examining officer.

The examination shall include a test of the applicant's knowledge and understanding of the provisions of the California vehicle act governing the operation of motor vehicles on the public highways and may include such other matters as may be necessary to enable the division to determine that the applicant is entitled to a license under the provisions of this act.

(b) The division may in its discretion waive the examination of any person applying for the renewal of an operator's or chauffeur's license heretofore or hereafter issued under the California vehicle act.

SEC. 17. Section 69 of said act is hereby amended to read as follows:

SEC. 69. Expiration of license. An operator's license issued hereunder, or previously issued and valid at the time this amendment takes effect, shall be valid until revoked, suspended or canceled, as hereinafter provided; every chauffeur's license shall expire January thirty-first of each year and shall be renewed annually in the same manner and upon payment of the same fee as provided an original license; *provided*, that the division of motor vehicles is hereby authorized at any time to cancel all operator's licenses which have been outstanding three years or

more, and to require the renewal thereof upon application and subject to examination in the discretion of the division.

SEC. 18. Section 77 of said act is hereby amended to read as follows:

Sec. 77. Registration fees.

(a) A registration fee of three dollars shall be paid to the division for the registration of every motor vehicle, trailer, or semi-trailer except for those which are exempted in this act, and such fee shall be paid at the time application is made for registration.

(b) In addition to the registration fee specified in subdivision (a) of this section, there shall be paid for the registration of every electric passenger motor vehicle a registration fee of ten dollars, and for the registration of every electric motor vehicle designed, used or maintained primarily for the transportation of passengers for hire, or for the transportation of property, there shall be paid fees according to the following schedule:

For each such vehicle weighing, when unladen, less than 6,000 pounds...\$40 00

For each such vehicles weighing, when unladen, 6,000 pounds or more,

but less than 10,000 pounds..... 60 00

For each such vehicle weighing, when unladen, 10,000 pounds or more... 80 00

(c) The following registration fees in addition to the registration fee specified in subdivision (a) of this section shall be paid for the registration of vehicles, including trailers and semitrailers, designed, used or maintained primarily for the transportation of passengers for hire or for the transportation of property, according to the following table, except that the fees specified in this subsection need not be paid for electric vehicles, nor for trailers or semitrailers weighing not to exceed five hundred pounds unladen nor for vehicles which are used exclusively in the transportation of free delivery mails:

When such vehicles are equipped wholly or partly with other than pneumatic tires:

For each such vehicle weighing, when unladen, less than 3,000 pounds...\$10 00

For each such vehicle weighing, when unladen, 3,000 pounds or more, but

less than 6,000 pounds..... 20 00

For each such vehicle weighing, when unladen, 6,000 pounds or more, but

less than 10,000 pounds..... 30 00

For each such vehicle weighing, when unladen, 10,000 pounds or more... 40 00

When such vehicles are equipped wholly with pneumatic tires there shall be paid in addition to the fee specified in subdivision (a) of this section fees according to the weight thereof unladen amounting to one-half the fees set forth in the foregoing table.

For the purposes of this section, a vehicle weighing less than three thousand pounds unladen and equipped with cushion tires shall be deemed to be equipped with pneumatic tires.

Upon registration issued after the beginning of the registration year, the fees required under subdivisions (b) and (c) of this section shall be reduced by one-fourth for each three months which shall have elapsed since the beginning of the registration year.

Whenever the division through error shall collect any fee or duplicate fee not required to be paid hereunder the same shall be refunded to the person paying the same upon application therefor.

No vehicle other than a truck, trailer or semi-trailer shall for the purposes of this section be deemed to be a commercial vehicle or subject to the payment of the fees based upon weight specified in this subsection which is only occasionally or incidentally used for the transportation of property and the fact that a vehicle is equipped with a box or other receptacle for the carrying of personal property incidentally or occasionally shall not be deemed to render such vehicle subject to payment of the fees specified in this subsection: *provided*, that in any event where the fee specified in subdivision (a) of this section has been paid for the registration of a vehicle of the class referred to in this paragraph, such vehicle shall not be seized by the division under a claim of lien for non-payment of any fee specified in this subdivision until there has first been a judicial determination of the question whether such vehicle is subject to such additional fee.

(d) If the license tax provided for by that certain act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," heretofore or hereafter adopted by the legislature at its forty-fifth session is held by the supreme court of the State of California, or by the supreme court of the United States, to be unconstitutional, then beginning with the first year next succeeding the date upon which such decision becomes final there shall be paid upon and for the registration and re-registration of every motor vehicle with the division of motor vehicles, in addition to any other fees imposed by law, a registration fee of five dollars for every electric motor vehicle and for every other motor vehicle a fee amounting to the sum of forty cents for each horse power or major fraction thereof of such motor vehicle and a proportionate amount thereof for the registration of such vehicle for a period of less than one

year. The horse power of any motor vehicle, except electric or steam driven vehicles, shall be determined by the formula commonly known as that of the association of licensed automobile manufacturers (A. L. A. M.), being as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by two and five-tenths; *provided*, that for the purposes hereof the horse power of any steam driven motor vehicle shall be the horse power rating fixed and advertised by the manufacturers thereof. In the event that registration fees for electric motor vehicles and fees based on horse power as hereinabove specified shall be collected, all such fees shall be paid into the motor vehicle fund of the State of California, and shall be distributed and used for such purposes as may be provided by law for the distribution and use of said motor vehicle fund; *and provided, further*, that in the event the provisions of this section, relative to registration fees, based upon horse power rating, shall become effective the provisions of this section contained in subdivisions (a) and (b) shall be deemed to be superseded.

Sec. 19. Section 78 of said act is hereby amended to read as follows:

Sec. 78. Exempt from registration fees. The registration fees specified in this act need not be paid for any motor vehicle, trailer or semitrailer owned by any foreign government or by a consul, or other official representative thereof, or by the United States, or by any state or political subdivision thereof, nor for any like vehicle owned by or used exclusively in the operative work of such corporations as are taxed solely for state purposes under the constitution of this state, nor for any like vehicle used exclusively by a company in the operative work of its business of transportation of persons or property as a common carrier for compensation over any public highway of this state between fixed termini, or over a regular route, and subject to taxation under the provisions of section 15 of article XIII of the constitution of the State of California. All such vehicles shall be registered as herein required by the person having custody thereof and such custodian shall display official registration plates bearing distinguishing marks thereon which shall be furnished by the division free of charge.

Sec. 20. Section 96 of said act is hereby amended to read as follows:

Sec. 96. Prevention of noise, smoke, etc.

(a) Every motor vehicle shall have devices in good working order which shall be at all times in constant operation to prevent excessive or unusual noise, annoying smoke and the escape of gas, steam or oil, as well as the falling out of residue from fuel. All exhaust pipes carrying exhaust gases from the engine shall be directed parallel to the ground or slightly upward. It shall be unlawful to use a "muffler cutout" on any motor vehicle when within a business or residence district.

(b) From and after January 1, 1929, no person shall drive a motor vehicle upon a public highway when such motor vehicle is equipped with a "muffler cutout" capable of being operated by the driver or occupant thereof and from and after said date it shall be unlawful to use a "muffler cutout" on any motor vehicle upon any public highway.

(c) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

Sec. 21. Section 112 of said act is hereby amended to read as follows:

Sec. 112. Persons under the influence of intoxicating liquor or narcotic drugs. It shall be unlawful for any person who is an habitual user of narcotic drugs or who is under the influence of intoxicating liquor or narcotic drugs to drive a vehicle on any public highway within this state.

Any person violating the provisions of this section shall upon conviction be punished by imprisonment in the county jail for not less than ninety days nor more than one year or by imprisonment in the state prison for not less than one nor more than three years, or by a fine of not less than two hundred dollars (\$200), nor more than five hundred dollars (\$500), and upon every verdict of "guilty" under this section, the jury shall recommend the punishment and the court in imposing sentence shall have no authority to impose a sentence greater than that recommended by the jury.

Sec. 22. Section 114 of said act is hereby amended to read as follows:

Sec. 114. Business and residence districts defined.

(a) A "business district" for the purpose of this act shall mean the territory contiguous to a highway when fifty per cent or more of the frontage thereon for a distance of three hundred feet or more is occupied by buildings in use for business. All roads and highways within the grounds of a state university or state, county or municipal institution shall be deemed to be within a business district for the purposes of this act.

(b) A "residence district" for the purpose of this act shall mean the territory contiguous to a public highway not comprising a business district, as defined herein, when the property fronting on said highway for a distance of not less than one-quarter of a mile is occupied by dwelling houses or business structures which are not more than an average distance of one hundred feet apart.

Sec. 23. Section 115 of said act is hereby amended to read as follows:

Sec. 115. Business district to be signposted.



The board of supervisors of any county and the legislative body of any city or town wherein any public highway lies within a business district, are hereby authorized and as to main through highways are hereby required to cause metal signs to be conspicuously placed on every such highway at the boundary lines of such business district, which signs shall be placed on the right-hand side of such highway looking toward such district and at right angles to the highway and at a height of not less than four and not more than ten feet from the ground and which shall be triangular in shape, having the apex thereof upward, the sides thereof being of equal length and not less than twenty-four inches in length, which signs shall be colored dark green on both the front and back thereof, and shall have inscribed on the front thereof in white letters of a size to be easily read by a person using the highway the words and figures "15 miles speed limit".

Sec. 24. Section 116 of said act is hereby amended to read as follows:

Sec. 116. Residence districts to be signposted.

The board of supervisors of any county and the legislative body of any city or town wherein any public highway lies within a residence district, are hereby authorized and as to main through highways entering a residence district from other than a business district are hereby required to cause metal signs to be conspicuously placed on every such highway at the boundary lines of such residence district located thereat in the same manner and of the same size and shape as specified herein for signs at the boundaries of a business district, which signs for a residence district shall be colored red on both the front and back thereof and shall have inscribed on the front thereof in white letters of a size to be easily read by a person using the highway the words "twenty miles speed limit".

Sec. 25. Section 117 of said act is hereby amended to read as follows:

Sec. 117. Signs at railroad crossings. The board of supervisors of any county and the city council, board of trustees or other legislative body of a city or town wherein any public highway crosses at grade any steam or interurban electric railway tracks shall cause to be placed and thereafter maintained warning signs on every such highway at a reasonable distance from such crossing and on both sides thereof upon the right-hand side of the highway looking toward the crossing. Every such sign shall consist of a metal disc twenty-four inches in diameter, the face enameled white, with an enameled black border line one inch wide and with an enameled black vertical and horizontal cross line two and one-half inches wide. In each of the upper quarters shall appear in black enamel the letter "R" five inches high, three and three-quarters inches wide, lines one inch stroke.

Sec. 26. Section 118 of said act is hereby amended to read as follows:

Sec. 118. Speed limit for vehicles regulated according to weight and tire equipment. (a) In addition to any other regulations imposed by this act it shall be unlawful for the driver of any vehicle, or combination of vehicles, the gross weight of which, including any load thereon is eighteen thousand pounds or more, to drive the same upon a public highway at a speed in excess of twenty miles per hour.

(b) It shall be unlawful for the driver of a vehicle equipped with other than pneumatic tires to drive the same upon a public highway at speeds in excess of those provided in the following table:

When gross weight of vehicle and load is	Maximum speed in miles per hour
Nine thousand pounds or more but not more than twelve thousand pounds	25
Over twelve thousand pounds but not over twenty-two thousand pounds	15
Over twenty-two thousand pounds	10
This provision shall not be construed to permit the weight of a four-wheel vehicle and load to exceed twenty-two thousand pounds.	
When a truck or trailer is constructed or otherwise adapted for carrying loads weighing four tons or more, exclusive of the weight of such vehicle, when and whether such vehicle is laden or unladen	15
When a truck or trailer is equipped with tires made wholly or partly of metal	6

Sec. 27. Section 142 of said act is hereby amended to read as follows:

Sec. 142. Accident reports.

(a) The driver of any vehicle involved in an accident resulting in injuries or death to any person, shall within twenty-four hours forward a report of such accident to the division, except that when such accident occurs within an incorporated city or town such report shall be made within twenty-four hours to the police headquarters in such city or town. Every police department shall forward every such report, or a copy thereof, so filed with it to the division.

The division may require drivers involved in accidents to file supplemental reports and may require witnesses of accidents to render reports to it upon forms furnished by it whenever the original report is insufficient in the opinion of the division. Such reports shall be without prejudice, shall be for the information of the division and the fact that such reports have been so made shall be admissible in evidence solely to prove a compliance with this section, but no such report or any part thereof shall be admissible in evidence for any other purpose in any trial, civil or criminal, arising out of such accident.



(b) The division shall prepare and may supply to police and sheriff offices and other suitable agencies, forms for accident reports calling for sufficiently detailed information to disclose with reference to a highway accident the cause, conditions then existing and the persons and vehicles involved.

The division shall receive accident reports required to be made by this act and shall tabulate and analyze such reports and publish annually, or at more frequent intervals, statistical information based thereon as to the number, cause and location of highway accidents.

Sec. 28. Section 147 of said act is hereby amended to read as follows:

Sec. 147. Injuring vehicle. Any person who shall individually or in association with one or more others, wilfully break, injure, tamper with or remove any part or parts of any vehicle for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle or who shall in any other manner wilfully or maliciously interfere with or prevent the running or operation of such vehicle, shall be guilty of a misdemeanor. Any person arrested upon a charge of violating this section may be taken immediately by the arresting officer before the nearest or most accessible magistrate.

Sec. 29. Section 148 of said act is hereby amended to read as follows:

Sec. 148. Tampering with vehicle. Any person who shall without the consent of the owner or person in charge of a vehicle, climb, with the intent to commit any malicious mischief or injury thereto or with intent to commit any crime, upon or into such vehicle, whether the same be in motion or at rest, or who, while such vehicle is at rest and unattended, shall attempt to manipulate any of the levers, the starting crank or other device, brakes or mechanism thereof, or to set said vehicle in motion shall be guilty of a misdemeanor. Any person arrested upon a charge of violating this section may be taken immediately by the arresting officer before the nearest or most accessible magistrate.

Sec. 30. Section 151 of said act is hereby amended to read as follows:

Sec. 151. Live stock not to stray on highway. No person owning, or controlling the possession of, any live stock, shall voluntarily or negligently permit any such live stock to stray upon or remain unaccompanied by a person in charge or control thereof upon a public highway, either side of which is adjoined by property which is separated from such highway by a fence, wall, hedge, sidewalk, curb, lawn or building, nor permit the tether or any portion thereof to which such animal may be attached, to lie across or upon any public highway. No person shall feed, pasture, camp or drive any such live stock upon, over or across any public highway between the hours of sunset and sunrise without keeping a sufficient number of herders on continual duty to open the road so as to permit the passage of vehicles.

Sec. 31. Sec. 159 of said act is hereby amended to read as follows:

Sec. 159. Motor Vehicle Fund.

(a) There is hereby created in the state treasury a fund which shall be known as the "motor vehicle fund." The state treasurer shall deposit all money received by him from the division or otherwise under the provisions of this act into the motor vehicle fund.

(b) There is hereby appropriated out of such fund all moneys received as operators' license fees and duplicate operators' license fees and in addition thereto such portion of the remainder of such motor vehicle fund not exceeding in any registration year twenty per cent thereof as may be necessary for the maintenance of the division of motor vehicles to be expended by the division in carrying out the provisions of this act. There shall be deducted from the sums which the division is allowed to expend hereunder such amount as may be allowed to said division in each calendar year under budget appropriation by the state Legislature. The division may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate fifty thousand dollars, said sums so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the board of control and by the controller. The balance of said fund, after the expenditure of so much as may be permitted by this act for the support of the division of motor vehicles, shall be known as the "net receipts" and shall be devoted to the purposes and in the manner herein specified.

(c) One-half of such "net receipts" is hereby appropriated and shall be paid from the motor vehicle fund to the counties of this state in proportion to the number of vehicles registered in such counties as determined by the places of residence of the owners to whom the registration certificates are issued; *provided*, that there shall be deducted from the amount to be paid hereunder to any county all amounts that may have been expended under the provisions of this act during the preceding six months, or that may be reasonably necessary during the succeeding six months, to pay the compensation of state inspectors and traffic officers appointed to serve in such county. All amounts paid under this section to the counties shall be deposited in the road funds of the several counties receiving the same and shall be expended by such counties exclusively in the construction and maintenance of

public roads, bridges and culverts in said counties respectively; *provided*, that the board of supervisors of any county may in its discretion expend any portion of such sums so received by such county in the construction, maintenance and repair of streets, bridges and culverts within these incorporated cities therein in the legislative bodies of which by ordinance authorize such work of construction, maintenance and repair. The board of supervisors of any county, or city and county, which is empowered by law to expend money for the construction of public highways outside of its corporate limits, may expend any portion of the amounts paid to the said county, or city and county, and deposited in the special road improvement fund or other road fund thereof, as herein in this section directed, in and for the construction of public highways outside of its corporate limits; *provided, however*, that the construction thereof is authorized by ordinance of the board of supervisors of the county, or city and county, in which said highway is to be constructed. Where such authorization is given by ordinance, as herein provided, the board of supervisors of the county, or city and county desiring the said construction, may, through its own boards, officers or commissions expend the amounts herein authorized to be expended, or may, by ordinance of its board of supervisors, transfer said amounts to the account of the highway commission of the State of California and may by said ordinance specify and determine the route and type of construction of said highway, and the said amount thus transferred shall, if accepted by the said highway commission, be expended by said commission for the purpose specified and determined in said ordinance, and not otherwise.

(d) The board of supervisors of each county in the state shall establish a road fund in the county treasury for the receipt of such funds received, as hereinbefore provided, and shall also make an annual report to the state department of public works not later than three months after the close of the counties' fiscal year, upon forms to be provided by the state department of public works, showing the amount of moneys received from the motor vehicle fund during the preceding fiscal year and the disposition of said moneys, specifying in such detail as may be required by said department of roads, bridges and culverts constructed or maintained out of said moneys and the sums applied to the several items of such construction or maintenance.

(e) The state controller shall in the months of February and August of each year draw his warrants upon the motor vehicle fund in favor of the county treasurer of each county for the amount to which such county is entitled hereunder, except that the state controller shall not draw his warrant upon the motor vehicle fund in favor of the county treasurer of any county which has not established a road fund, as required hereunder, or which has failed, neglected or refused to file the report showing the amount of money heretofore received by such county from the motor vehicle fund and the disposition thereof, as hereinbefore required, until such county has established a road fund and shall make the reports herein required.

(f) All moneys remaining in the motor vehicle fund after the expenditures hereinbefore in this section authorized, together with all sums that have been heretofore or that may be hereafter appropriated by the Legislature for the same purpose, shall be paid into the state highway maintenance fund and shall be expended under the direction of the state department of public works for the maintenance, repair, widening, resurfacing and reconstruction of state roads and highways under the jurisdiction of said department and for the maintenance, repair, widening, resurfacing and reconstruction of roads and highways in state parks, subject to the approval of the official or officials charged by law with the management and control of such parks, such money to be so drawn from the motor vehicle fund for the purpose of such maintenance, repair, widening, resurfacing and reconstruction upon warrants executed by the state controller upon demands made by the state department of public works and allowed and authorized by the state board of control.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Motor Vehicles.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll on adoption of the report of the Committee on Rules of the Senators who had not answered to their names.

The roll was called, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones,

H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Weller, West, and Young—34.  
 NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Garrison: Senate Bill No. 853—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Senate Concurrent Resolution No. 21, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses.

Bill read first time, and referred to Committee on Finance.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Lyon to introduce a bill entitled—An act to add two new sections, to be numbered 2½ and 50½, to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Slater, Swing, Taylor, Tubbs, Weller, and West—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Lyon: Senate Bill No. 854—An act to add two new sections to be numbered 2½ and 50½ to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities.

Bill read first time, and referred to Committee on Public Utilities.



Also:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Handy, to introduce a bill entitled—"An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Weller, and West—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Handy: Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

PROPOSED AMENDMENTS TO THE SENATE RULES.

Senator Breed gave notice that on the next legislative day he would move to amend the Senate rules as follows:

31a. Adoption of amendments to any bill by the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 765—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for



the payment and effect of such bonds," approved June 16, 1913, as amended, relative to the filing by contractors and others of bonds or certified checks:

Also: Senate Bill No. 766—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relative to the filing by contractors and others of bonds or certified checks;

Also: Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks;

Also: Senate Bill No. 731—An act to provide for the establishment of set back lines by any county, city or city and county along any present or proposed street or highway;

Has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bills Nos. 765, 766, 767, and 731 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 765—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relative to the filing by contractors and others of bonds or certified checks.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 3 of the printed bill, after the period, in line 37, strike out all of the remainder of the bill and insert in lieu thereof the following:

At the time of signing and executing said contract the contractor shall execute, deliver to, and file with the superintendent of streets, a good and sufficient bond in a sum not less than one-half of the total amount payable by the terms of said contract. Such bond shall be executed by either two or more good and sufficient sureties or by corporate surety as provided by law, and must provide that if the contractor, person, company or corporation, or his or its subcontractors fail to pay for any materials, provisions, provender or other supplies or teams, or the use of implements or machinery used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, that the surety will pay for the same in an amount not exceeding the sum specified in the bond, and also in case suit is brought upon such bond, a reasonable attorney's fee to be fixed by the court. Such bond must by its terms, inure to the benefit of any and all persons, companies and corporations entitled to file claims under this act, so as to give a right of action to them or their assigns in any suit brought upon said bond.

Any materialman, person, company or corporation furnishing materials, provisions, provender or other supplies used in, upon, for or about the performance of the work contracted to be executed or performed, or any person, company or corporation

renting or hiring teams or implements, or machinery for, or contributing to, said work to be done, or any person who performs work or labor upon the same, or any person who supplies both work and materials and whose claim has not been paid by the contractor, company or corporation to whom the contract has been awarded, or by the subcontractors of said contractor, company or corporation, may at any time prior to the expiration of the period within which claims of lien must be filed for record as prescribed by section 1187 of the Code of Civil Procedure, file with the superintendent of streets, a verified statement of his or its claim, together with a statement that the same, or some part thereof, has not been paid. It shall be lawful for the superintendent of streets, within ten days after the completion of any such contract or work of improvement provided for in this act, or within ten days after there has been a cessation from labor thereon for a period of thirty days, to file for record in the office of the county recorder of the county where the property is situated, a notice, setting forth the date when the same was completed, or on which cessation from labor occurred, together with the name of the municipality and description of the property or public work of improvement, sufficient for identification, and the name of the contractor or contractors, and the name of the surety, which notice shall be verified by such superintendent of streets, and in case such notice be not so filed the failure to so file shall have the same effect as provided in section 1187 of the Code of Civil Procedure, with reference to the "owner". Any laborer, materialman, person, company or corporation entitled to the benefit of this act as hereinbefore set forth, whose claim has not been paid by the said contractor, company or corporation, or his or its subcontractors, shall severally have a first lien upon and against the assessment, any partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment. And actions against the said municipality and or superintendent of streets to establish such liens brought by any claimants who has filed claims under this act, or by his assigns, shall be governed by the provisions of sections 1184, 1184a, 1184b and 1184c, of the Code of Civil Procedure, and the verified notice provided for in the said section shall be equivalent for all purposes to the verified claim provided for herein.

No assignment by the contractor of the whole or any part of the money, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or to be due him under the contract, or for "extras" in connection therewith, whether made before a verified claim is filed as provided for herein or after said claim is filed, shall be held to take priority over claims filed under this section, and such assignment shall have no binding force in so far as the rights of the claimants who file claims hereunder, or their assigns, are concerned; *provided*, that nothing in this section shall be construed to prohibit payment to the contractor or his assigns, so long as no verified claim is on file before the disbursing officer shall have actually surrendered possession of the assessment, partial assessment, any reassessment, and any bonds which may be issued to represent any assessment or reassessment, or the payment to said contractor or his assigns of any assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or his assigns over and above the total amount of the claims filed at that time plus such interest and court costs as might be reasonably anticipated in connection with said claims.

Suit against the surety or sureties on the bond of the contractor required hereunder may be brought by any claimant, or his assign, at any time after the claimant has ceased to perform labor or furnish material or both and until the expiration of six months after the period in which verified claims may be filed as provided herein. The filing of a verified claim shall not be a condition precedent to the maintenance of such action against the surety or sureties on the bond and an action on such bond may be maintained separately from and without the filing of an action against the municipality and or officer by whom such contract was awarded. And upon the trial of any such action, the court shall award to the prevailing party a reasonable attorney's fee, to be taxed as costs, and to be included in the judgment therein rendered.

If the contractor, subcontractor or other person against whom any claim is filed as provided in this act, shall dispute the correctness or validity of any claim so filed it shall be lawful for the municipality and/or superintendent of streets by whom the contract for the improvement was awarded, in its or his discretion, to permit the contractor to whom said contract was awarded to deliver to such municipality and/or superintendent of streets a bond executed by some corporation authorized to issue surety bonds in the State of California, in a penal sum equal to one and one-fourth times the amount of said claim, which said bond shall guarantee the payment of any sum which said claimant may recover on said claim together with his costs of suit in said action, if he shall recover therein, and upon the filing of said bond by and with the consent of such municipality and/or superintendent of streets, then such municipality and or superintendent of streets shall not withhold any funds, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment from said contractor on account of said claim. The sureties upon said bond shall be jointly and severally

liable to said claimant with the sureties upon the original bond insuring to the benefit of persons entitled to file claims under this act and given in accordance with the provisions of this act.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

Senate Bill No. 766—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relative to the filing by contractors and others of bonds or certified checks.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, beginning with line 17, strike out all of the remainder of the bill and insert in lieu thereof the following:

SEC. 19. Every contractor, person, company or corporation, including contracting owners, to whom is awarded any contract for street work under this act, shall at the time of signing and executing said contract, file with the superintendent of streets a good and sufficient bond to the satisfaction and approval of said street superintendent, in a sum not less than one-half of the total amount payable by the terms of said contract. Such bonds shall be executed by either two or more good and sufficient sureties, or by corporate surety, as provided by law, in an amount not less than the sum specified in the bond, and must provide that if the contractor, person, company or corporation, or his or its subcontractors fail to pay for any materials, provisions, provender or other supplies or teams, or the use of implements or machinery used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, that the sureties will pay for the same in an amount not exceeding the sum specified in the bond, and also in case suit is brought upon such bond, a reasonable attorney's fee to be fixed by the court. Such bond must, by its terms, inure to the benefit of any and all persons, companies and corporations entitled to file claims under this act, so as to give a right of action to them or their assigns in any suit brought upon said bond.

Any materialman, person, company or corporation furnishing materials, provisions, provender or other supplies used in, upon, for or about the performance of the work contracted to be executed or performed, or any person, company or corporation renting or hiring teams or implements, or machinery for, or contributing to, said work to be done, or any person who performs work or labor upon the same, or any person who supplies both work and materials and whose claim has not been paid by the contractor, company or corporation to whom the contract has been awarded, or by the subcontractors of said contractor, company or corporation, may at any time prior to the expiration of the period within which claims of lien must be filed for record, as prescribed by section 1187 of the Code of Civil Procedure, file with the superintendent of streets, a verified statement of his or its claim, together with a statement that the same, or some part thereof, has not been paid. It shall be lawful for the superintendent of streets, within ten days after the completion of any such contract or work of improvement provided for in this act, or within ten days after there has been a cessation from labor thereon for a period of thirty days, to file for record in the office of the county recorder of the county where the property is situated, a notice, setting forth the date when the same was completed, or on which cessation from labor occurred, together with the name of the municipality and description of the property or public work or improvement, sufficient for identification, and the name of the contractor or contractors, and the name of the surety, which notice shall be verified by such superintendent of streets, and in case such notice be not so filed the failure to so file shall have the same effect as provided in section 1187 of the Code of Civil Procedure, with reference to the "owner". Any



laborer, materialman, person, company or corporation entitled to the benefit of this act as hereinbefore set forth, whose claim has not been paid by the said contractor, company or corporation, or his or its subcontractors, shall severally have a first lien upon and against the assessment, any partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment. And actions against the said municipality and or superintendent of streets to establish such liens brought by any claimant who has filed claims under this act, or by his assigns, shall be governed by the provisions of sections 1184, 1184a, 1184b and 1184c, of the Code of Civil Procedure, and the verified notice provided for in the said section shall be equivalent for all purposes to the verified claim provided for herein.

No assignment by the contractor of the whole or any part of the money, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or to be due him under the contract, or for "extras" in connection therewith, whether made before a verified claim is filed as provided for, herein or after said claim is filed, shall be held to take priority over claims filed under this section, and such assignment shall have no binding force in so far as the rights of the claimants who file claims hereunder, or their assigns, are concerned; *provided*, that nothing in this section shall be construed to prohibit payment to the contractor or his assigns, so long as no verified claim is on file before the disbursing officer shall have actually surrendered possession of the assessment, partial assessment, any reassessment, and any bonds which may be issued to represent any assessment or reassessment, or the payment to said contractor or his assigns of any assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or his assigns over and above the total amount of the claims filed at that time plus such interest and court costs as might be reasonably anticipated in connection with said claims.

Suit against the surety or sureties on the bond of the contractor required hereunder may be brought by any claimant, or his assign, at any time after the claimant has ceased to perform labor or furnish material or both and until the expiration of six months after the period in which verified claims may be filed as provided herein. The filing of a verified claim shall not be a condition precedent to the maintenance of such action against the surety or sureties on the bond and an action on such bond may be maintained separately from and without the filing of an action against the municipality and/or officer by whom such contract was awarded. And upon the trial of any such action, the court shall award to the prevailing party a reasonable attorney's fee, to be taxed as costs, and to be included in the judgment therein rendered.

If the contractor, subcontractor or other person against whom any claim is filed as provided in this act shall dispute the correctness or validity of any claim so filed it shall be lawful for the municipality and/or superintendent of streets by whom the contract for the improvement was awarded, in its or his discretion, to permit the contractor to whom said contract was awarded to deliver to such municipality and/or superintendent of streets a bond executed by some corporation authorized to issue surety bonds in the State of California, in a penal sum equal to one and one-fourth times the amount of said claim, which said bond shall guarantee the payment of any sum which said claimant may recover on said claim, together with his costs of suit in said action, if he shall recover therein, and upon the filing of said bond by and with the consent of such municipality and/or superintendent of streets, then such municipality and or superintendent of streets shall not withhold any funds, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment from said contractor on account of said claim. The sureties upon said bond shall be jointly and severally liable to said claimant with the sureties upon the original bond insuring to the benefit of persons entitled to file claims under this act and given in accordance with the provisions of this act.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks.



## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

## AMENDMENT NUMBER ONE.

On page 4 of the printed bill, after the comma following the word "superintendent" in line 15, strike out all of the remainder of the bill and insert in lieu thereof the following :

A good and sufficient bond to be approved by the mayor, in a sum not less than one-half of the total amount payable by the terms of said contract, such bond shall be executed by either two or more good and sufficient sureties or by corporate surety, as provided by law, and must provide that if the contractor, person, company or corporation, or his or its subcontractors fail to pay for any materials, provisions, provender or other supplies or teams, or the use of implements or machinery used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, that the surety will pay for the same in an amount not exceeding the sum specified in the bond, and also in case suit is brought upon such bond, a reasonable attorney's fee to be fixed by the court. Such bond must, by its terms, inure to the benefit of any and all persons, companies and corporations entitled to file claims under this act, so as to give a right of action to them or their assigns in any suit brought upon said bond.

Any materialman, person, company or corporation furnishing materials, provisions, provender or other supplies used in, upon, for or about the performance of the work contracted to be executed or performed, or any person, company or corporation renting or hiring teams or implements, or machinery for, or contributing to, said work to be done, or any person who performs work or labor upon the same, or any person who supplies both work and materials and whose claim has not been paid by the contractor, company or corporation to whom the contract has been awarded, or by the subcontractors of said contractor, company or corporation, may at any time prior to the expiration of the period within which claims of lien must be filed for record, as prescribed by section 1187 of the Code of Civil Procedure, file with the superintendent of streets, a verified statement of his or its claim, together with a statement that the same, or some part thereof, has not been paid. It shall be lawful for the superintendent of streets, within ten days after the completion of any such contract or work of improvement provided for in this act, or within ten days after there has been a cessation from labor thereon for a period of thirty days, to file for record in the office of the county recorder of the county where the property is situated, a notice, setting forth the date when the same was completed, or on which cessation from labor occurred, together with the name of the municipality and description of the property or public work or improvement, sufficient for identification, and the name of the contractor or contractors, and the name of the surety, which notice shall be verified by such superintendent of streets, and in case such notice be not so filed the failure to so file shall have the same effect as provided in section 1187 of the Code of Civil Procedure, with reference to the "owner." Any laborer, materialman, person, company or corporation entitled to the benefit of this act as hereinbefore set forth, whose claim has not been paid by the said contractor, company or corporation, or his or its subcontractors, shall severally have a first lien upon and against the assessment, any partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment. And actions against the said municipality and or superintendent of streets to establish such liens brought by any claimant who has filed claims under this act, or by his assigns, shall be governed by the provisions of sections 1184, 1184a, 1184b and 1184c, of the Code of Civil Procedure, and the verified notice provided for in the said section shall be equivalent for all purposes to the verified claim provided for herein.

No assignment by the contractor of the whole or any part of the money, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or to be due him under the contract, or for "extras" in connection therewith, whether made before a verified claim is filed as provided for herein or after said claim is filed, shall be held to take priority over claims filed under this section, and such assignment shall have no binding force in so far as the rights of the claimants who file claims hereunder, or their assigns, are concerned; *provided*, that nothing in this section shall be construed to prohibit payment to the contractor or his assigns, so long as no verified claim is on file before the disbursing officer shall have actually surrendered possession of the assessment, partial assessment, any reassessment, and any bonds which may be issued to represent any assessment or reassessment, or the payment to said contractor or his assigns of any assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or his assigns over and above the total amount of the claims filed at that time plus such interest and court costs as might be reasonably anticipated in connection with said claims.

Suit against the surety or sureties on the bond of the contractor required hereunder may be brought by any claimant, or his assigns, at any time after the claimant has ceased to perform labor or furnish materials or both and until the expiration of six months after the period in which verified claims may be filed as provided herein. The filing of a verified claim shall not be a condition precedent to the maintenance of such action against the surety or sureties on the bond and an action on such bond may be maintained separately from and without the filing of an action against the municipality and or officer by whom such contract was awarded. And upon the trial of any such action, the court shall award to the prevailing party a reasonable attorney's fee, to be taxed as costs, and to be included in the judgment therein rendered.

If the contractor, subcontractor or other person against whom any claim is filed as provided in this act, shall dispute the correctness or validity of any claim so filed it shall be lawful for the municipality and or superintendent of streets by whom the contract for the improvement was awarded, in its or his discretion, to permit the contractor to whom said contract was awarded to deliver to such municipality and or superintendent of streets a bond executed by some corporation authorized to issue surety bonds in the State of California, in a penal sum equal to one and one-fourth times the amount of said claim, which said bond shall guarantee the payment of any sum which said claimant may recover on said claim, together with his costs of suit in said action, if he shall recover therein, and upon the filing of said bond by and with the consent of such municipality and/or superintendent of streets, then such municipality and/or superintendent of streets shall not withhold any funds, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment from said contractor on account of said claim. The sureties upon said bond shall be jointly and severally liable to said claimant with the sureties upon the original bond inuring to the benefit of persons entitled to file claims under this act and given in accordance with the provisions of this act.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

Senate Bill No. 731—An act to provide for the establishment of set back lines by any county, city or city and county along any present or proposed street or highway.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Amend first line of title by striking out the words "set back" and inserting in lieu thereof "future street".

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out the words "set back" and insert in lieu thereof "future street".

#### Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, strike out the words "set back" and insert in lieu thereof "future street".

#### Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 27, of the printed bill, strike out the last word "or".

#### Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, strike out the words "any set back line".

#### Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 2, of the printed bill, strike out the word "shall" the first time it occurs, and insert in lieu thereof "may".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 2, of the printed bill, strike out the word "not".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, line 3, of the printed bill, insert the word "temporarily" after the word "become", and strike out the word "for" and insert in lieu thereof the following: "immediately and for a period not exceeding in all".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 4, of the printed bill, after the word "become" insert the word "finally".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2, line 11, of the printed bill, strike out the words "set back" and insert in lieu thereof "future street".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 2, line 13, of the printed bill, strike out the words "street lines or said set back lines" and insert in lieu thereof "future street line or lines".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 2, line 28, of the printed bill, after the period insert the following: "In granting or sustaining any protest the said board of supervisors or city council may grant or sustain the same as to the entire future street line or lines proposed or only as to a portion thereof. As to any portion of such proposed future street line or lines concerning which a protest is not granted or sustained, said board of supervisors or city council may deny said protest or protests. Upon the denial of any such protest the said resolution or ordinance shall immediately become finally effective. If no protests are filed as herein provided for such resolution or ordinance shall take final effect at midnight of the last day for filing such protests."

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 2, line 29, of the printed bill, strike out "5" and insert in lieu thereof "6".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 2, line 30, of the printed bill, strike out the word "filed" and insert in lieu thereof "final".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 2, line 37, of the printed bill, strike out the words "set back" and insert in lieu thereof "future street".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 2, line 39, of the printed bill, strike out "6" and insert in lieu thereof "7".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 2, line 42, of the printed bill, strike out the word "set" and insert "future", and in line 43 strike out the word "back" and insert "street".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 2, line 45, of the printed bill, strike out the figure "7" and insert "8".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 2, line 47, of the printed bill, strike out the words "set back" and insert in lieu thereof "future street".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 2, line 52, of the printed bill, strike out the words "rather than a regulation", and on page 3 of the printed bill, strike out all of line 1 and all of line 2 down to and including the word "power".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 3 of the printed bill, strike out all of line 3 after the word "months" and all of line 4 to and including the word "months".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 12, of the printed bill, strike out the word "file" and insert the word "fail".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-THREE.

On page 3 of the printed bill, strike out all of lines 19 and 20 and insert in lieu thereof the following:

SEC. 9. In the event that any owner of property lying within any of the lines set forth or described as future street lines in any resolution or ordinance as herein provided for shall fail within the time herein specified to file a claim in the manner herein provided, such owner shall be conclusively deemed to have waived any such claim, but he shall not be deemed to have waived any title to the property within any such future street line or lines or any interest therein.

SEC. 10. Violation of any of the provisions of this act shall upon conviction be punishable as a misdemeanor.

SEC. 11. If any section, subsection, sentence, clause or phrase or provision of this act is for any reason held to be unconstitutional, such provision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares that it would have passed each and every provision of this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or provisions be declared unconstitutional.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent



the assessment for the cost, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts;

Also: Senate Bill No. 158—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended;

Also: Senate Bill No. 192—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they be sent to printer, and re-referred to this committee.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bills Nos. 126, 158 and 192 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the cost, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 3 of the printed bill, after the period in line 37, strike out all of the remainder of the bill and insert in lieu thereof the following:

At the time of signing and executing said contract, the contractor shall execute, deliver to, and file with the superintendent of streets, a good and sufficient bond in a sum not less than one-half of the total amount payable by the terms of said contract. Such bond shall be executed by either two or more good and sufficient sureties or by corporate surety as provided by law, and must provide that if the contractor, person, company or corporation, or his or its subcontractors fail to pay for any materials, provisions, provender or other supplies or teams, or the use of implements or machinery used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, that the surety will pay for the same in an amount not exceeding the sum specified in the bond, and also in case suit is brought upon such bond, a reasonable attorney's fee to be fixed by the court. Such bond must by its terms, inure to the benefit of any and all persons, companies and corporations entitled to file claims under this act, so as to give a right of action to them or their assigns in any suit brought upon said bond.

Any materialman, person, company or corporation furnishing materials, provisions, provender or other supplies used in, upon, for or about the performance of the work contracted to be executed or performed, or any person, company or corporation renting or hiring teams or implements, or machinery for, or contributing to, said work to be done, or any person who performs work or labor upon the same, or any person who supplies both work and materials and whose claim has

not been paid by the contractor, company or corporation to whom the contract has been awarded, or by the subcontractors of said contractor, company or corporation, may at any time prior to the expiration of the periods within which claims of lien must be filed for record as prescribed by section 1187 of the Code of Civil Procedure, file with the superintendent of streets, a verified statement of his or its claim, together with a statement that the same, or some part thereof, has not been paid. It shall be lawful for the superintendent of streets, within ten days after the completion of any such contract or work of improvement provided for in this act, or within ten days after there has been a cessation from labor thereon for a period of thirty days, to file for record in the office of the county recorder of the county where the property is situated, a notice, setting forth the date when the same was completed, or on which cessation from labor occurred, together with the name of the municipality and description of the property or public work of improvement, sufficient for identification, and the name of the contractor or contractors, and the name of the surety, which notice shall be verified by such superintendent of streets, and in case such notice be not so filed the failure to so file shall have the same effect as provided in section 1187 of the Code of Civil Procedure, with reference to the "owner." Any laborer, materialman, person, company or corporation entitled to the benefit of this act as hereinbefore set forth, whose claim has not been paid by the said contractor, company or corporation, or his or its subcontractors, shall severally have a first lien upon and against the assessment, any partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment. And actions against the said municipality and/or superintendent of streets to establish such liens brought by any claimant who has filed claims under this act, or by his assigns, shall be governed by the provisions of sections 1184, 1184a, 1184b and 1184c, of the Code of Civil Procedure, and the verified notice provided for in the said section shall be equivalent for all purposes to the verified claim provided for herein.

No assignment by the contractor of the whole or any part of the money, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or to be due him under the contract, or for "extras" in connection therewith, whether made before a verified claim is filed as provided for herein or after said claim is filed, shall be held to take priority over claims filed under this section, and such assignment shall have no binding force in so far as the rights of the claimants who file claims hereunder, or their assigns, are concerned: *provided*, that nothing in this section shall be construed to prohibit payment to the contractor or his assigns, so long as no verified claim is on file before the disbursing officer shall have actually surrendered possession of the assessment, partial assessment, any reassessment, and any bonds which may be issued to represent any assessment or reassessment, or the payment to said contractor or his assigns of any assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment, due him or his assigns over and above the total amount of the claims filed at that time plus such interest and court costs as might be reasonably anticipated in connection with said claims.

Suit against the surety or sureties on the bond of the contractor required hereunder may be brought by any claimant, or his assign, at any time after the claimant has ceased to perform labor or furnish material or both and until the expiration of six months after the period in which verified claims may be filed as provided herein. The filing of a verified claim shall not be a condition precedent to the maintenance of such action against the surety or sureties on the bond and an action on such bond may be maintained separately from and without the filing of an action against the municipality and/or officer by whom such contract was awarded. And upon the trial of any such action, the court shall award to the prevailing party a reasonable attorney's fee, to be taxed as costs, and to be included in the judgment therein rendered.

If the contractor, subcontractor or other person against whom any claim is filed as provided in this act, shall dispute the correctness or validity of any claim so filed, it shall be lawful for the municipality and/or superintendent of streets by whom the contract for the improvement was awarded, in its or his discretion, to permit the contractor to whom said contract was awarded to deliver to such municipality and/or superintendent of streets a bond executed by some corporation authorized to issue surety bonds in the State of California, in a penal sum equal to one and one-fourth times the amount of said claim, which said bond shall guarantee the payment of any sum which said claimant may recover on said claim, together with his costs of suit in said action, if he shall recover therein, and upon the filing of said bond by and with the consent of such municipality and/or superintendent of streets, then such municipality and/or superintendent of streets shall not withhold any funds, assessment, partial assessment, any reassessment and any bonds which may be issued to represent any assessment or reassessment from said contractor on account of said claim. The sureties upon said bond shall be jointly

and severally liable to said claimant with the sureties. The original bond inuring to the benefit of persons entitled to file claims under this act and given in accordance with the provisions of this act.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

Senate Bill No. 158—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

That there be stricken from line 1 of the title of said printed bill the words "An act to amend section nine of an act entitled".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

That lines 7 and 8 be stricken from the title of said printed bill, and the following be inserted in lieu thereof: "struction of such improvements".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out all down to and including line 15 of page 2 of said bill and insert in lieu thereof the following:

SECTION 1. Any portion of a municipality incorporated under the laws of this state may be formed into a municipal improvement district for the purpose of creating an indebtedness, to be represented by bonds of said district, the proceeds from the sale of which shall be used for the acquisition or construction of any public improvement, work or public utility which such municipality is authorized by law to acquire or construct. Such districts shall be formed and such bonds shall be issued and sold in manner and under the proceedings hereinafter set forth.

SEC. 2. Whenever a petition, verified by one or more persons and signed by not less than ten per cent of the qualified electors residing in the territory which is proposed to be formed into a municipal improvement district, setting forth a general description of the improvement, work or public utility to be acquired or constructed and a general description of the exterior boundaries of such proposed district, shall have been filed in the office of the clerk of the legislative body of said city, and the genuineness of the signatures thereto shall have been certified to by the city clerk, said legislative body may adopt an ordinance declaring its intention to call an election in said proposed district, or as the same may have been modified as herein provided, for the purpose of submitting to the qualified electors of said district the proposition of authorizing the issuance and sale of bonds of such district in the manner and for the purpose set forth in said ordinance of intention. Said legislative body shall have power to change or modify the boundaries of said district and the nature, character or extent of such proposed public improvement, work or public utility. Said ordinance of intention shall also contain:

1. An accurate description of the exterior boundaries of the proposed municipal improvement district;

2. A general description of the improvement, work or public utility proposed to be acquired or constructed;

3. An estimate of the cost of the proposed improvement, work or public utility and an estimate of the incidental expense in connection therewith;

4. That upon a certain date fixed therein an election will be held in said district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of such district to pay the cost and expenses of the proposed improvement, work or public utility, and that a map showing the exterior boundaries of said district with relation to the territory imme-



quately contiguous thereto, and a general description of the proposed improvement are on file in the office of the clerk of the legislative body of such city; which said map shall govern for all details as to the extent of the said district:

5. A date, hour and place fixed for the hearing of protests.

SEC. 3. Said ordinance shall be published once a day for at least six days in some newspaper of general circulation published at least six days a week in said city, or once a week for two weeks in some newspaper published less than six days per week in such municipality, and one insertion each week for two succeeding weeks shall be sufficient publication in such newspaper published less than six days per week. Such ordinance, unless otherwise provided by charter of the municipality, shall take effect upon the completion of said publication. In municipalities where no such newspaper is published such ordinance shall be posted in three public places therein, and in case of posting notice such ordinance shall take effect two weeks after date of such posting of notice.

SEC. 4. Any person interested, objecting to the formation of said district, or to the extent of said district, or to the proposed improvement, or work, or to the acquiring or construction of the proposed public utility, or to the inclusion of his property in said district, may file a written protest, setting forth such objection, with the clerk of the legislative body at or before the time set for the hearing of said petition. The clerk of said legislative body shall indorse on each such protest the date of its reception by him, and, at the time appointed for the hearing above provided for, shall present to said board all protests so filed with him. Said legislative body shall hear said protests at the time appointed or at any time to which the hearing thereof may be adjourned, and pass upon the same, and its decision thereon shall be final and conclusive. If any of such protests against the proposed improvement or work, or against the acquisition or construction of the public utility be sustained, no further proceeding shall be had or taken pursuant to the petition, but a new petition for the same or a similar purpose may be filed at any time after the expiration of six months from the date such protest was sustained. If any of such protests be against the extent of said district, or against the inclusion of property in said district, then the legislative body shall have power to make such changes in the boundaries of the proposed district as it shall find to be proper and advisable, and shall define and establish such boundaries, but said legislative body shall not modify such boundaries so as to include any territory which will not in its judgment, be benefited by said improvement, work or public utility.

Said legislative body shall not modify such boundaries except after notice of its intention so to do, given by one insertion in said newspaper, describing the proposed modification, and specifying a time for hearing objections to such modification, which time shall be at least ten days after the publication of said notice. Written objections to said proposed modification may be filed with the clerk of said legislative body by any interested person at or before the time set for hearing the same. Said legislative body shall hear and pass upon such objections at the time appointed, or at any time to which the hearing thereof may be adjourned, and its decision thereon shall be final and conclusive. If such objections, or any of them, be sustained, no further proceedings pursuant to such petition shall be taken, but a new petition for the same or a similar purpose may be filed at any time after the expiration of six months from the date such protest was sustained.

At the expiration of the time within which protests may be filed, if none be filed, or if protests be filed and after hearing be denied, or at the expiration of the time within which objections to the modification of the boundaries of the district, in case such modification be proposed, may be filed, if none filed, or if such objections be filed, and, after hearing, be overruled, as above provided, then said legislative body shall be deemed to have acquired jurisdiction to proceed further in accordance with the provisions of this act.

SEC. 5. At any time after said legislative body shall have so acquired jurisdiction, it may call an election to be held within the district described in the ordinance or resolution calling the election, which description shall conform with any changes in boundaries that may have been made under section 4 hereof, and provide for the submission to the qualified voters thereof, the proposition of incurring a debt by the issuance of bonds of such district, for the purposes set forth in the ordinance of intention. The ordinance or resolution calling such election, shall also recite the objects and purposes for which the proposed indebtedness is to be incurred, the nature of the improvement, work or public utility, contemplated thereby, the estimated cost thereof, the estimated cost of the incidental expense in connection therewith, the amount of the principal of the indebtedness to be incurred therefor and the rate of interest to be paid on such indebtedness; *provided, however*, that in its discretion said legislative body may recite in such ordinance or resolution a maximum rate of interest to be paid on such indebtedness, which rate when so recited, shall not be exceeded in the issuance of bonds for such indebtedness; and said ordinance or resolution shall fix the date on which such election shall be held, the manner of holding the same and the manner of voting for or against said proposition. The maximum rate of interest to be paid on such indebtedness shall be seven per centum per annum, payable semi-annually.



SEC. 6. For the purposes of said election said legislative body shall in said ordinance, or resolution, establish one or more precincts within the boundaries of said district, designate a polling place and appoint one inspector, one judge and one clerk for each such precinct. In all particulars not recited in such ordinance, or resolution, such election shall be held as provided by law for the holding of general municipal elections in such city. Said ordinance, or resolution, ordering the holding of said election shall, prior to the date fixed for such election be published five times in a daily, or twice in a weekly or semi-weekly newspaper of general circulation, printed and published in said city and designated by said legislative body for said purpose. In cities where no such newspaper is published, such ordinance, or resolution, shall be posted in three public places therein two weeks preceding the date fixed for the holding of such election. No other notice of such election need be given. If at such election two-thirds of all the voters voting at said election, shall vote in favor of incurring such bonded indebtedness, then such legislative body shall thereupon be authorized and empowered to issue the bonds of said district for the amount provided for in such proceedings, payable out of funds of such district, to be provided as in this act prescribed.

SEC. 7. Said legislative body shall, subject to the provisions of this act, prescribe the form of said bonds, and of the interest coupons attached thereto. Said bonds shall be payable in the following manner: A part, to be determined by said legislative body, and which shall not be less than one-fortieth part of the whole amount of such indebtedness, shall be payable each and every year, on a day and date, and at a place to be fixed by said legislative body and designated in such bonds, together with the interest on all sums unpaid on such date, until the whole of said indebtedness shall have been paid; *provided, however*, that said legislative body may in its discretion determine and fix a date for the earliest maturity of the principal of such bonds, not more than ten (10) years from the date of the issue of such bonds, but in this event the whole amount of such indebtedness must be made payable in equal annual parts in not to exceed forty years from the time of contracting the same.

The bonds shall be issued in such denomination as said legislative body may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars and shall be payable on the day and at the place fixed in such bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of — per centum per annum, and shall be paid semiannually; and said bonds shall be signed by the chief executive of the municipality, or by such other officer thereof as the legislative body of the municipality shall, by resolution adopted by a two-thirds vote of all its members, authorize and designate for that purpose, and also signed by the treasurer thereof, and shall be countersigned by the clerk. The interest coupons on said bonds shall be numbered consecutively and signed by the treasurer of such municipality by his engraved or lithographed signature. In case any such officers whose signatures or counter-signatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or counter-signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until the delivery of the bonds.

SEC. 8. Said legislative body may issue and sell the bonds of such district, authorized as hereinabove provided, at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of such municipality to the credit of the proper district fund and shall be applied exclusively to the purposes and objects mentioned in the ordinance or resolution ordering the holding of the bond election as aforesaid and to the incidental expense in connection therewith.

SEC. 9. The legislative body of such city shall, at the time of fixing the general tax levy, and in the manner for such general tax levy provided, levy and collect a tax each year upon the taxable land in such district sufficient to pay the interest on such bonds for that year, and such portion of the principal thereof as is to become due before the time for making the next general tax levy; *provided, however*, that if the maturity of the indebtedness created by the issue of such bonds be made to begin more than one year after the date of such issue, such tax shall be levied and collected, at the time and in the manner aforesaid, each year sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof on or before maturity. Such tax shall be in addition to all other taxes levied for municipal purposes and when collected shall be paid into the treasury of such city and be used for the payment of the principal and interest on such bonds, and for no other purpose. The principal and interest on such bonds shall be paid by the treasurer of such city in the manner provided by law for the payment of principal and interest on bonds of such city.

SEC. 10. All contracts for the construction or completion of any public work, or improvement or public utility, or for furnishing labor, materials or supplies therefor as herein provided, shall be let to the lowest responsible bidder. The legislative body of such city shall advertise for two or more days in a newspaper of general circulation printed and published in such city, inviting sealed proposals for furnishing labor, materials and supplies for the proposed improvement before any contract shall be made therefor. The said legislative body shall have the right to require such bonds as it may deem best from the successful bidder to insure the

faithful performance of the contract, and shall also have the right to reject any and all bids; *provided, however*, that nothing herein contained shall be construed as prohibiting the municipality itself from constructing or completing such works, improvements or public utilities and employing the labor necessary therefor, without a contractor; and *provided, further*, that in municipalities operating under a charter heretofore or hereafter framed under the provisions of the constitution of the State of California, all acts required to be performed subsequent to the sale of such bonds by this act, shall be done and performed by the proper body, board, officer or commission of such municipality, as is required or authorized by such charter to perform such acts, and in case such charter also prescribes the manner of letting and entering into contracts for the furnishing of labor, materials or supplies for the constructing or completion of public works or improvements, the contracts therefor shall be let and entered into in conformity with such charter.

SEC. 11. Said municipality shall, by and through its proper officers, have full power and authority to expend the proceeds acquired from the sale of such bonds for the acquisition or construction of the improvement, work or public utility set forth in the ordinance calling said election, and shall also have full power and authority to acquire or construct such improvements, works or public utilities, and such improvements, works or public utilities so acquired or constructed shall be the property of such municipality.

SEC. 11½. Whenever the legislative body of any municipality in which a municipal improvement district has been formed hereunder, shall by resolution declare that it is no longer necessary to expend the money raised by the sale of bonds of such municipal improvement district for the purpose for which said bonds were voted, by reason of the fact that such purpose has been accomplished by other means, said legislative body of said municipality may call a special election within said municipal improvement district to obtain the consent of the qualified voters thereof to use said money for some other specified purpose for which bonds of said municipal improvement district could lawfully be issued hereunder or to place said money into a sinking fund for the purpose of paying off the principal of said bonds at any time the same may be presented for payment by the holders thereof. The ordinance calling such special election shall recite the new object and purpose for which the said money is proposed to be expended and shall fix the date on which such special election will be held, the manner of holding such election and the manner of voting for or against the expenditure of such money for said purpose, and shall establish one or more precincts within the boundaries of said district, designate a polling place and appoint one inspector, one judge and one clerk for each such precinct, and in all particulars not recited in said ordinance such election shall be held as provided by law for the holding of general municipal elections in such municipality. Such ordinance shall be published five times in a daily, or twice in a weekly or semi-weekly newspaper of general circulation, printed and published in said city and designated by said legislative body for said purpose. In municipalities where no such newspaper is published, such ordinance shall be posted in three public places within said municipal improvement district for two succeeding weeks. No other notice of such election need be given. It shall require the votes of two-thirds of all the voters of such special election to authorize the expenditure of the money for the purpose mentioned in the ordinance calling said special election.

SEC. 12. Any district formed under the provisions of this act shall be known as "Act of 1927 Municipal Improvement District No. \_\_\_\_\_ (insert number) of the city of \_\_\_\_\_ (inserting the name of the municipality in which such district is located)".

SEC. 13. This act shall not affect any other act or acts relating to the same, or a similar subject, but it is intended to provide an alternative method of procedure governing the subject to which it relates. When proceeding under the provisions of this act, its provisions and none other shall apply.

SEC. 14. The provisions of this act shall be liberally construed to effect the purpose thereof and no provision hereof shall be deemed or construed to prohibit the inclusion within the boundaries of any district formed under the provision of this act, or any other act, of any territory which has heretofore or which may be hereafter included within any other district formed under the provisions of this act, or any other act.

SEC. 15. This act shall be known as, and whenever cited, referred to, or amended, may be designated as the "municipal improvement district act of 1927", and by such designation shall be sufficiently identified in any proceeding hereunder or in any court action or proceeding or legislative enactment in which this act is referred to.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

Senate Bill No. 192—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys,

courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

That the title of said bill be amended by striking out in line 1 of the printed bill the words "Section 2" and by inserting in lieu thereof the words "Sections 1 and 2".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

That the whole of the title of said printed bill, commencing with the words in quotations in line 1 of said title, "an act", be stricken out and in lieu thereof there be inserted the words "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds." (Approved April 7, 1911, as amended.)

Amendment adopted.

##### AMENDMENT NUMBER THREE.

That lines 1 to 11, both inclusive, of the first page of said printed bill be stricken out.

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

That the following be inserted immediately after the enacting clause on page 1 of said printed bill:

SECTION 1. Section 1 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the costs thereof, and providing a method for the payment of said bonds," approved April 7, 1911, as amended, is hereby amended to read as follows: "Section 1. All streets, avenues, lanes, alleys, courts, places, public ways, or property, or rights of way, or tide lands, or submerged lands owned by any municipality in this state, now open or dedicated or which may hereafter be opened or dedicated to public use, and any property for the immediate possession and use of which, as rights of way required for public use, an order has been obtained in compliance with the provisions of section 14 of article I of the constitution of the State of California, and all tide lands or submerged lands to which all the right, title and interest of the State of California shall have been or may hereafter be granted to any municipality of this state, shall be deemed and held to be open public streets, avenues, lanes, alleys, courts, places, public ways, or property or rights of way owned by said city, for the purposes of this act, and the legislative body of each municipality is hereby empowered to establish and change the grades of said respective ways, properties, and rights of way hereinbefore enumerated and fix the width thereof and is hereby invested with jurisdiction to order to be done therein, over or thereon, either singly or in any combination thereof, any of the work mentioned in this act under the proceedings hereinafter described."

Amendment adopted.



## AMENDMENT NUMBER FIVE.

That lines 16 to 20, inclusive, page 1 of said printed bill, be stricken out.

**Amendment adopted.**

## AMENDMENT NUMBER SIX.

That there be substituted in lines 16 to 20, inclusive, of said page 1 of the printed bill, the following: "streets, avenues, lanes, alleys, courts, places, public ways, or property, or rights of way, or tide lands, or submerged lands owned by any municipality in this state, now open or dedicated or which may hereafter be opened or dedicated to public use, and any property for the immediate possession and use of which, as rights of way required for public use, an order has been obtained in compliance with the provisions of section 14 of article I of the constitution of the State of California, to be improved by or have constructed therein, over or thereon, either singly or in any combination thereof, any of the following, namely:"

**Amendment adopted.**

## AMENDMENT NUMBER SEVEN.

That there be stricken from page 2 of the said printed bill, all of lines 40 to 45, inclusive.

**Amendment adopted.**

## AMENDMENT NUMBER EIGHT.

That there be inserted, beginning at line 40 of said page 2 of the printed bill, the following: "(1) The construction, repairing, or improving of public mooring places for water craft, the building, repairing and improving of wharves, piers, docks, slips, quays, moles, or other utilities, structures, and appliances necessary or convenient for the promotion or accommodation of commerce, navigation and the protection of lands within said city, and for aiding and securing access to the waters of said lands to the people of the State of California, in the exercise of their rights to fish, or for the extension of public streets or places."

**Amendment adopted.**

## AMENDMENT NUMBER NINE.

That there be added to the said printed bill, at the end thereof, the following:

(m) All other work which may be deemed necessary to improve the whole or any portion of such streets, avenues, lanes, alleys, courts, places, public ways or property, or rights of way owned by such city.

(n) All other work auxiliary to any of the above, which may be required to carry out the same.

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON MUNICIPAL CORPORATIONS.

## SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bill No. 237 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 297—An act to amend sections 7 and 9 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and en-



forcement of such bonds," approved April 27, 1911, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bill No. 297 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 774—An act to amend section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and rights of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended;

Also: Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district benefited of the cost or a portion of the cost of the separation of the crossing of a railroad or street railroad by a street, highway or public way and for the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited, lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality; and providing for the payment of a portion of the expenses for such improvement by counties or municipalities;

Also: Senate Bill No. 203—An act to amend sections 4, 5, 7, 35 and 41 of an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, exclusion of public property and mode of assessing and levying special assessment taxes;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bills Nos. 774, 296 and 203 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

#### SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 135—An act to add a new section to be numbered 7m to an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to a Chief Narcotic Enforcement Officer;

Also: Senate Bill No. 61—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology, to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bills Nos. 135 and 61 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 719—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 29, 1905, and amended March 21, 1907, April 21, 1909, and May 27, 1915—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—7.

CROWLEY, Chairman.

Senate Bill No. 719 ordered on file for second reading.

#### ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, March 14, 1927.

#### IN SENATE.

##### SENATE CHAMBER.

SACRAMENTO, Monday, March 14, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C. Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—39.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 11, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVE OF ABSENCE.

Senator Garrison was, on motion of Senator Weller, granted leave of absence for this day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Charles W. Musick.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Rev. William Mueller of Wasco, California.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge T. W. Harris, superior court judge of Alameda County.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Frank Garby of San Francisco, California.

On request of Senator Allen, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Ted Adams, secretary of the Retail Dry Goods Association of Los Angeles.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

WHEREAS, There has been introduced in the Senate of the State of California by Senator Chester M. Kline a bill known as Senate Bill No. 127, designating the highway between El Centro and Calexico as a State highway; and

WHEREAS, This is a paved highway and a connecting link from the international border line between California and Mexico, requiring no immediate construction costs to the State of California and providing the State of California with an unnumbered international connection on its system of highways; therefore, be it

*Resolved*, By the Calexico Chamber of Commerce, in regular session this tenth day of March, 1927, that it is the sense of this organization that Senate Bill No. 127 should be passed by both the Senate of the State of California, and the Assembly of California, and signed by the Governor of the State of California, making this important stretch of highway a part of the State highway system of the State of California; and, be it further

*Resolved*, That a copy of this resolution be forwarded to the Governor of California, Senator Chester M. Kline, Assemblyman M. D. Witter, Senator Ed Mueller, Assemblyman C. D. Eddy, the El Centro Chamber of Commerce, and the San Diego Chamber of Commerce.

I certify that the foregoing resolution was adopted by the unanimous vote of the Calexico Chamber of Commerce on this tenth day of March, 1927.

W. E. HARMUTH, Secretary-Manager.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING

SENATE CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 360—An act to amend the "California Water Storage District Act," approved June 3, 1921, as amended by amending the title to said act, and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 32, 34, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19a and relating to the reapportionment of assessments in case of the subdivision of lands; by adding a new section to be known as 19b, relating to the reassessment of land after a five-year period; by adding a new section, to be numbered 23½ and relating to the allocation of the net returns from the generation of electric power; by adding nineteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q, 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators, to act as owners of title or evidence of title;

Also: Senate Bill No. 515—An act to amend sections 18 and 35 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of



perfecting the plans contained in said report of the California Debris Commission, and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended;

Also: Senate Bill No. 720—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposit of moneys in banks;

Also: Senate Bill No. 128—An act to add a new section to be known as section 224 to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to boundary lines of fish and game districts;

Also: Senate Bill No. 106—An act to amend section 627b of the Penal Code, relating to the shipment of fish and game.

Also: Senate Bill No. 462—An act to amend sections 5, 6 and 7 of an act entitled "An act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911, as amended; and adding a new section thereto to be known as section 112;

Also: Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act;

Also: Senate Bill No. 166—An act to amend section 653p of the Civil Code, relating to nonprofit cooperative agricultural, viticultural and horticultural associations;

Also: Senate Bill No. 352—An act to amend section 365c of the Political Code, relating to powers of the State Highway Commission;

Also: Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit: Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to deputies to assessor and collector; section 15b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27a, relating to time for completion of assessment roll and time for equalizing assessments; section 27b, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28a, relating to levy of taxes by boards of supervisors; section 28b, relating to duty of district attorney and attorney general on default in levy and collection of taxes; section 28c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28d, relating to collection of unsecured

taxes; section 28e, relating to addition of unpaid water tolls and charges to taxes; section 28f, relating to assessment lien; section 28g, relating to change of assessments and refund of erroneous taxes; section 28h, relating to notice that assessments are due and collection and delinquency of taxes; section 28i, relating to suit against delinquents to collect taxes; section 28j, relating to duty of collector on sale for delinquent taxes; section 28k, relating to sale for delinquent taxes; section 28l, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28m, relating to certificates of sale; section 28n, relating to record book of property sold for taxes and interest on redemption; section 28o, relating to redemption of property and collector's deed; section 28p, relating to delinquent taxes and deed on dissolution of district; section 28q, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28r, relating to assessment roll or delinquent list as prima facie evidence; section 28s, relating to misnomers; section 28t, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28u, relating to settlements between secretary and collector; section 29a, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act;

Also: Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919;

Also: Senate Bill No. 151—An act to add a new section to the Political Code to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners;

Also: Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363½, providing for the supervision of ports by the Department of Public Works;

Also: Senate Bill No. 102—An act granting to the city of Eureka tide and submerged lands of the State of California including the right to wharf out therefrom to the city of Eureka and regulating the management, use and control thereof;

Also: Senate Bill No. 162—An act concerning aeronautics and to make uniform the law with reference thereto;

Also: Senate Bill No. 172—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant.

Also: Senate Bill No. 533—An act to amend an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, by adding two new sections numbered 2a and 2b;

Also: Senate Bill No. 534—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b;

Also: Senate Bill No. 581—An act to add a new section to the Code of Civil Procedure to be numbered 1983, relating to the burden of proof in certain cases;

Also: Senate Bill No. 601—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4;

Also: Senate Bill No. 682—An act to repeal section 598 of the Civil Code, relating to the sale of real property, and granting of easements by religious corporations;

Also: Senate Bill No. 685—An act to repeal chapter III of title X of part IV, division III of the Civil Code, and to add a new chapter III of part IV, division III, in place thereof, all relating to limited partnerships, and to make the law relating to limited partnerships uniform with the law of other states; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 470—An act to amend section 1734b of the Political Code, relating to schools—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bill No. 470 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 10, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 506—An act to amend section 104 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds.";

Also: Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official plans and to appoint planning boards; describing the powers and duties of said planning boards; providing for the approval of plats; and providing that building permits shall conform to official plans;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they be re-referred to committee.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bills Nos. 506 and 585 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 415—An act to amend section 165 of the Penal Code, relating to bribery of public officials:

Also: Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489, and 490, of the Penal Code, and to add a new section to the Penal Code, to be numbered 490a, defining the crime of theft and prescribing punishment therefor;

Also: Senate Bill No. 405—An act to add a new section to the Penal Code, to be numbered 681a, relating to trials in criminal cases;

Also: Senate Bill No. 403—An act to amend section 809 of the Penal Code, relating to the filing of informations in criminal cases;

Also: Senate Bill No. 398—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant;

Also: Senate Bill No. 389—An act to amend sections 1006 and 1011 of the Penal Code, relating to demurrers in criminal cases and effect of overruling thereof; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bills Nos. 415, 408, 405, 403, 398 and 389 ordered on file for second reading.



Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 390—An act to amend section 995 of the Penal Code and to add a new section to the Penal Code, to be numbered 995a, relating to indictments and informations;

Also: Senate Bill No. 392—An act to amend section 960 of the Penal Code, relating to the sufficiency of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 393—An act to amend section 959 of the Penal Code, relating to the sufficiency of indictments, informations, and complaints;

Also: Senate Bill No. 396—An act to amend section 951 of the Penal Code, relating to the form of indictment or information in criminal cases;

Also: Senate Bill No. 397—An act to repeal sections 941 and 942 of the Penal Code, relating to grand juries;

Also: Senate Bill No. 411—An act to amend section 969 of the Penal Code, relating to pleading of prior convictions in indictments or informations;

Also: Senate Bill No. 383—An act to amend sections 1070, 1089, and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases;

Also: Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bills Nos. 390, 392, 393, 396, 397, 411, 383 and 416 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing of transcripts of testimony and delivery of copy thereof to defendant;

Also: Senate Bill No. 395—An act to amend section 952 of the Penal Code, relating to pleadings and form of indictment or information;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bills Nos. 399 and 395 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bill No. 417 ordered on file for second reading.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That Joe Moloney be and he is hereby transferred from the position of Assistant History Clerk at \$5 per day to the position of Assistant Minute Clerk at \$7 per day, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Kline, Maloney,

McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, West, and Young—29.

NOES—None.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

##### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Inman, to introduce a bill entitled—An act to authorize and direct the State Board of Control to purchase and invest in, sell and exchange, warrants of the Sacramento and San Joaquin Drainage District issued or to be issued, and payable out of or secured by Sutter-Butte by-pass assessment number six and Feather River assessment number seven, or either of said assessments, or of any new, additional, or supplemental assessments that may be levied upon lands within said Sacramento and San Joaquin Drainage District for the purpose of completing or continuing the work for which said assessments, or either of them, have been levied, or of paying the incidental expenses connected therewith or paying the warrants or other indebtedness thereof; to purchase, sell and exchange bonds based upon such assessments, or either of them, and to exchange said warrants for such bonds; appropriating money therefor and providing for reimbursement of the state for moneys expended or unused in accordance with this act—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—31.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Inman: Senate Bill No. 856—An act to authorize and direct the State Board of Control to purchase and invest in, sell and exchange, warrants of the Sacramento and San Joaquin Drainage District issued or to be issued, and payable out of or secured by Sutter-Butte By-pass Assessment Number Six and Feather River Assessment Number Seven, or either of said assessments, or of any new, additional, or supplemental assessments that may be levied upon lands within said Sacramento and San Joaquin Drainage District for the purposes of completing or continuing the work for which said assessments, or either of them, have been levied, or of paying the incidental expenses connected therewith or paying the warrants or other indebtedness thereof; to purchase, sell and exchange bonds based upon such assessments, or either of them, and to exchange said warrants for such bonds; appropriating money therefor and providing for reimbursement of the State for moneys expended or unused in accordance with this act.

Bill read first time, and referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Taylor, to introduce a bill entitled—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled, "An act to license and regulate the business of private detective and detective

agencies," approved June 7, 1915—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—31.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Taylor: Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915.

Bill read first time, and referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Baker, to introduce a bill entitled—An act to provide for the formation, powers, duties, government, and maintenance of health and sanitary districts in the State; the acquisition, maintenance, improvement, and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent 1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, West, and Young—31.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Baker: Senate Bill No. 858—An act to provide for the formation, powers, duties, government, and maintenance of health and sanitary districts in the State; the acquisition, maintenance, improvement, and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 321—An act empowering the State Board of Health, the State Department of Education and the State Department of Public



Welfare to carry on their respective functions for the benefit of the Indians of California to the extent that the cost of such services shall be provided for by the Congress of the United States through federal appropriations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 141—An act to add two new sections to the Political Code to be numbered 2261 and 2262, relating to establishment of kindergarten service for the blind and for vocational training in schools for the blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 259—An act to add a new section to the Political Code, to be numbered 629b, relating to group life insurance.

#### COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1, after the word "insured," in line 16, of the printed bill, insert a new paragraph to read as follows:

The following form of life insurance is also declared to be group insurance within the meaning of this chapter: life insurance covering the members of any labor union, written under a policy issued to such union which shall be deemed to be the employer for the purposes of this chapter, the premium on which is to be paid by the union or by the union and its members jointly, and insuring only all of its members who are actively engaged in the same occupation, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the union or its officials; *provided, however*, that when the premium is to be paid by the union and its members jointly and the benefits are offered to all eligible members, not less than seventy-five per centum of such members may be so insured; *provided, further*, that when members apply and pay for additional amounts of insurance, a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 703—An act to amend section 453bb of the Civil Code, and to add a new section thereto to be numbered 453hh, relating to mortgage insurance.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 14, 15, 16, and insert in lieu thereof the following: "Any contract which purports to guarantee or insure against loss on, or to guarantee the payment of, the".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, after the period, insert the following: "Any association, corporation, firm or person, other than a mortgage insurance company, holding a certificate of authority to transact business issued by the insurance commissioner of the State of California, who shall engage, as a business, in the making and/or issuing of policies of mortgage insurance, as herein defined, or shall advertise the making and/or issuing of such policies of mortgage insurance, or shall publicly offer to make and/or issue such policies of mortgage insurance, shall be guilty of a misdemeanor, and any officer, director, agent or other employee of

any such association, corporation, firm and/or person who knowingly consents, permits and/or makes any violation of any of the terms or provisions of this section shall be guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 228—An act to amend section 4143 of the Political Code, relating to duties of the coroner.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 124—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 258—An act to add a new section, to be numbered section 63½, to the Public Utilities Act, approved April 23, 1915, as amended, relating to increase in rates.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 210—An act to amend section 29 of the "Public Utilities Act," approved April 23, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 768—An act to amend sections 2, 33 and 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to definitions.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "sections two, thirty-three and fifty, and insert in lieu thereof the following: "section thirty-three."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out the words "their officers and the rights and remedies of patrons of".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In lines 14 and 15 of the title of the printed bill, strike out the words "relating to definitions", and insert in lieu thereof the following: "and also to add two new sections thereto to be numbered two and one-fourth and fifty and one-fourth, relating to the definition of and regulation of passenger stage corporations."

## Amendment adopted.

## AMENDMENT NUMBER FOUR.

Strike out lines 1 to 15, inclusive, on page 1, and all of pages 2, 3, 4 and 5, and lines 1 to 43, inclusive, on page 6, of the printed bill, and insert in lieu thereof the following:

SECTION 1. A new section is hereby added to an act entitled "An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, their officers, agents and employees and by other persons and corporations, creating the railroad commission fund and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, to be numbered 2½, and to read as follows:

SEC. 2½. (a) The term "passenger stage" when used in this act, includes every stage, auto stage or other motor vehicle, used in the transportation of persons, or persons and their baggage or express, or persons or baggage or express, when such baggage or express is transported incidental to the transportation of passengers.

(b) The term "passenger stage corporation," when used in this act, includes every corporation, or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever engaged as a common carrier, for compensation, in the ownership, control, operation or management of any passenger stage over any public highway in this state between fixed termini or over a regular route: *provided, however*, that this term shall not include those whose operations are exclusively within the limits of a single incorporated city, town or city and county, or whose operations consist solely in the transportation of bona fide pupils attending an institution of learning between their homes and such institution of learning.

(c) The words "between fixed termini or over a regular route," when used in this act, mean the termini or route between or over which any passenger stage corporation usually or ordinarily operates any passenger stage, even though there may be departures from said termini or route, or such departures be periodic or irregular.

(d) The term "common carrier," when used in this act, in addition to the definition herein otherwise given, shall include every "passenger stage corporation," their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating within this state.

## Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 7, of the printed bill, strike out lines 31 and 52, inclusive, and also strike out all of pages 8, 9 and 10, and insert in lieu thereof the following:

SEC. 3. A new section is hereby added to the said act to be numbered section 50½, and to read as follows:

SEC. 50½. No passenger stage corporation shall hereafter operate or cause to be operated any passenger stage over any public highway in this state without first having obtained from the railroad commission a certificate declaring that public convenience and necessity require such operation, but no such certificate shall be required of any passenger stage corporation as to the fixed termini between which, or the route over which, it is actually operating in good faith at the time this act becomes effective in compliance with the provisions of an act known as chapter 213, statutes of 1917, of the State of California, approved May 10, 1917, and amendments thereto, nor shall any such certificate be required of any person or corporation who on January 1, 1927, was operating, or during the calendar year 1926 had operated a seasonal service of not less than three consecutive months duration, sight seeing busses on a continuous sight seeing trip with one terminus only. Any right, privilege, franchise or permit held, owned or obtained by any passenger stage corporation may be sold, assigned, leased, mortgaged, transferred, inherited, or otherwise encumbered as other property, only upon authorization by the railroad commission. Every applicant for a certificate shall file in the office of the commission an application therefor in such form as shall be required by the commission, and the railroad commission shall have power, with or without hearing, to issue said certificate as prayed for, or to refuse to issue the same, or to issue it for the partial exercise only of said privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity may require. The railroad commission, in the exercise of the jurisdiction conferred upon it by the constitution of this state and by this act, shall have power and authority to grant certificates of



public convenience and necessity and make decisions and orders and to prescribe rules and regulations affecting passenger stage corporations, notwithstanding the provisions of any ordinance or permit of any incorporated city or town, city and county, or county and in case of conflict between any such order, rule or regulation any such ordinance or permit, the certificate, decision, order, rule or regulation of the railroad commission shall in each instance prevail.

When a complaint has been filed with the commission alleging that any passenger stage is being operated without a certificate of public convenience and necessity, contrary to or in violation of the provisions of this act, the commission shall have the power, with or without notice, to make its order requiring the corporation, or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating or managing such passenger stage, to cease and desist from such operation, until the commission makes and files its decision on said complaint, or until further order of the commission.

Whether or not any stage, auto stage, or other motor vehicle is being, or is proposed to be operated as a passenger stage corporation "between fixed termini or over a regular route" within the meaning of this act shall be a question of fact, and the finding of the railroad commission thereon shall be final and shall not be subject to review. Any act of transporting or attempting to transport any person or persons by stage, auto stage, or other motor vehicle upon a public highway of this state between two or more points not both within the limits of a single incorporated city, town, or city and county, where the rate, charge or fare for such transportation is computed, collected or demanded on an individual fare basis, shall be presumed to be an act of operating as a passenger stage corporation within the meaning of this act.

Each application for a certificate of public convenience and necessity made under the provisions of this section must be accompanied by a fee of fifty dollars.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 185—An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of predelinquent, psychopathic and maladjusted children.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, after the comma following the word "pre-delinquent" insert the following: "delinquent."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, strike out the period following the word "children", insert in lieu thereof a comma and add the following: "and providing for the payment of the expenses of the commission."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out the word "board" and insert in lieu thereof the word "bureau".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, lines 15 and 16, of the printed bill, strike out the word "treatment" and insert in lieu thereof the word "training".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 21, of the printed bill, strike out the period following the word "therefor", insert in lieu thereof a semicolon and add the following: "and there is hereby appropriated from such funds an amount sufficient to pay said actual and necessary expenses."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 845—An act providing for the use of labor of inmates of any State prison or the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

## COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "the", strike out the words "fourth Monday in September", and insert in lieu thereof the words "third Monday in June".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, after the word "the", strike out the words "tax collector", and insert in lieu thereof the word "assessor".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, after the word "the", strike out the words "tax collector", and insert in lieu thereof the word "assessor".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill, after the word "the", strike out the words "tax collectors", and insert in lieu thereof the word "assessors".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 18, of the printed bill, strike out the first four words thereof, to wit, "third Monday in September", and insert in lieu thereof the words "second Monday in June".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 4, of the printed bill, strike out the last word thereof, to wit, the word "tax", and also the word "collector", being the first word of line 5, and in lieu of said words "tax collector" insert the word "assessor".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 297—An act to amend sections 7 and 9 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 774—An act to amend section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements, constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 1, of the title, of the printed bill, after the word "amend" insert the words "the title and".

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out all of said line 1 and insert in lieu thereof the following: "SECTION 1. The title of an act entitled".

**Amendment adopted.**

##### AMENDMENT NUMBER THREE.

On page 2, between lines 23 and 24, of the printed bill, insert the following:  
An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grade of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and



parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the costs thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements such as are permitted to be or are constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work, approved June 3, 1921, as amended.

SEC. 2. Section 2 of the act referred to in the preceding section 1 of this act is hereby amended to read as follows:

### Amendment adopted.

#### AMENDMENT NUMBER FOUR.

On page 2, of the printed bill, strike out lines 28 to 34, inclusive, and insert in lieu thereof the following: "or any or all improvements such as are permitted to be constructed herein, including the cost of necessary repairs, replacements, fuel, power, electrical current, care, supervision and other items necessary for the proper maintenance and operation, shall be assessed, either partly or wholly".

### Amendment adopted.

#### AMENDMENT NUMBER FIVE.

On page 2, line 44, of the printed bill, after the word "maintaining" insert the following: "or constructing or maintaining".

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district benefited of the cost or a portion of the cost of the separation of the crossing of a railroad or street railroad by a street, highway or public way and for the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality; and providing for the payment of a portion of the expenses for such improvement by counties or municipalities.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

#### AMENDMENT NUMBER ONE.

That there be added in line 2 of the title of said printed bill, after the word "district", the words "or districts".

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

That there be added in line 4 of the title of said printed bill, after the words "public way", the words "and for the letting of contracts for the said work".

### Amendment adopted.

#### AMENDMENT NUMBER THREE.

That there be added at the end of the title of said printed bill, the words: "at their election".

### Amendment adopted.

#### AMENDMENT NUMBER FOUR.

That there be added on page 2 of said printed bill, in line 2, after the word "district" the words "or districts".

### Amendment adopted.

## AMENDMENT NUMBER FIVE.

That there be added on page 2 of said printed bill, in line 8, after the words "empowered to", the words "provide for such separation of grades and for the performance of the work necessary or suitable therefor and thereto and to".

Amendment adopted.

## AMENDMENT NUMBER SIX.

That there be added on page 2 of said printed bill, in line 9, after the word "district" the words "or districts".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

That there be stricken from page 2 of said printed bill, in line 43, the words "and sell or otherwise dispose of".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

That on page 2 of said printed bill, in line 46, the words "in that" be stricken out and the words "is that such share of" be substituted in lieu thereof.

Amendment adopted.

## AMENDMENT NUMBER NINE.

That on page 2 of said printed bill, in line 47, the word "the" be stricken out and the word "a" substituted in lieu thereof.

Amendment adopted.

## AMENDMENT NUMBER TEN.

That on page 2 of said printed bill, in line 50, there be inserted after the word "district", the words "or districts".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

That on page 3 of said printed bill, in line 17, there be inserted the words "or districts".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

That on page 3 of said printed bill, in line 18, there be inserted after the word "district" the words "or districts".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

That on page 3 of said printed bill, in line 24, there be inserted after the word "district" the words "or districts".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

That on page 3 of said printed bill, in line 32, there be inserted after the word "district" the words "or districts".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

That on page 3 of said printed bill, there be stricken from line 39 the word "therein" and in lieu thereof there be added the words "in such city or such county".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

That on page 4 of said printed bill, in line 3, the words "a time" shall be stricken out and the words "or times" be substituted in lieu thereof.

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

That on page 4 of said printed bill, in line 12, there be added after the word "conditions" the words "it shall fix and declare upon the conclusion of said hearing"

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

That there be stricken from page 4 of said printed bill, all of lines 26, 27, 28, 29, 30, and 31.

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

That there be added on page 4 of said printed bill, the following, following line 25: "proceed to advertise for bids for making such grade separation. Before doing so, a copy of the determinations, ruling and orders of the state railroad commission made after the hearing hereinbefore provided for, shall be placed on file with the city clerk or the clerk of the board of supervisors, as the case may be, and notice of such filing shall be published by such clerk by two insertions in some newspaper of general circulation within such city or county. Notice inviting such proposals, and referring to the determinations theretofore made with respect to such grade separation by said city or county and also to the later determinations, rulings and orders of the state railroad commission with reference thereto, shall be published twice in a newspaper published within said city or within said county, or of general circulation in such city or such county. The time fixed for the opening of bids shall be not less than ten days from the date of the first publication of said notice. All proposals or bids offered shall be accompanied by a check payable to the city or county as the case may be, certified by a responsible bank for an amount which shall not be less than ten per cent of the bid, or by a bond for the said amount and so payable, signed by the bidder and two sureties, who shall justify before any officer competent to administer an oath, in double the said amount, and over and above all statutory exemptions. Said bids shall be delivered to the clerk of the legislative body of said city or said county, and the same shall in open session of said body be publicly opened, examined and declared. Such legislative body may reject any and all bids should it deem this for the public good, and may award the contract to the lowest regular responsible bidder at the prices named in his bid. If no bids are received, or if all bids are rejected, such legislative body may within six months thereafter re-advertise for bids as in the first instance, without further proceedings, and thereafter proceed in the manner hereinabove provided. If the bidder to whom the contract is awarded fails, neglects or refuses to enter into the contract to perform said work, as hereinafter provided, then the certified check accompanying his bid and the amount therein stated, shall be collected by it and paid into the general fund, and any bond forfeited may be prosecuted, and the amount due thereon collected and paid into said fund. Notice of such award of contract shall be published by the clerk of such legislative body twice in some newspaper published in said city or county or of general circulation therein. At any time within ten days from the date of the first publication of said notice of award of contract, any person having any interest in said improvement who objects to the same, or who claims that any of the acts or proceedings relating to such grade separation are illegal or defective or faulty or in any way objectionable may file with the clerk of such legislative body a written notice specifying his objections or his claims. The failure or neglect to file a notice or claim of illegality, defects, faults or objections shall constitute a complete waiver of the right to object to said improvement and of the rights to claim that the proceedings are illegal or defective or faulty or objectionable. The superintendent of streets or the county surveyor, as the case may be, is hereby authorized in his official capacity to make a written contract for the said work and to receive the bonds authorized by this act from the contractor and to do any other act either express or implied that applies to the street department under this act. Such contract shall be executed within twenty-five (25) days after the first publication of the notice of award of contract. The contractor shall at the time of executing the contract, execute two bonds to the satisfaction of said superintendent of streets or county surveyor, with two or more sureties and payable to the said city or county, the first being in a sum not less than twenty-five per cent (25%) of the amount of the contract, conditioned for the faithful performance of the contract, and the second being in a sum not less than one-half of the total amount payable by the terms of the contract, and which shall be made to inure to the benefit of any and all persons, companies, or corporations, who perform labor on or furnish materials to be used in said work or improvement. Said last mentioned bond shall provide that if the contractor fails to pay for any materials so furnished for the said work, or for any work or labor done thereon of any kind, the sureties will pay the same to an amount not to exceed the sum specified in the said bond. The said sureties shall qualify for double the sum specified in each bond. No lien can be asserted, claimed or enforced against any property of any street railroad, interurban railroad or railroad



upon or across which any work of grade separation shall be done, but any laborer, materialman, person, company or corporation furnishing materials to be used in the performance of the work specified in the said contract or who performs work or labor upon the said work or improvement, whose claim has not been paid by the contractor or his assigns, shall severally have a first lien upon and against all moneys or funds to be paid for or on account of the performance of said work, by the owner of such street railroad, interurban railroad or railroad, pursuant to the orders of the railroad commission and likewise against and upon any other funds which are to be paid on said contract by or through the agency of the city or county. Such materialmen or laborers may at any time prior to thirty (30) days after the recording of the assessment for said work, file with the superintendent of streets or the county surveyor, as the case may be, a verified statement of his or its claim, together with a statement that the same or some part thereof has not been paid. At any time within ninety (90) days after the filing of such claim, the person, company or corporation filing the same or their assigns, may at their election commence an action to enforce the aforesaid lien against such funds or an action on said bond for the recovery of the amount due on said claim. In either of said cases, they shall be entitled to the costs incurred in the said action and a reasonable attorney's fee to be fixed by the court for the prosecution thereof. The said contract shall provide that when the said work is completed, the total contract price and the total of the incidental expenses shall be computed and there shall be deducted from such sum total the amount of the payment for said work of improvement to be made by the owner of the street railroad, interurban railroad or railroad, and by the State of California or any other public body, and that the balance of said sum shall be assessed upon and against the lots, pieces or parcels of land within the assessment district or assessment districts provided for in the proceedings. The said cash payments shall not be made until thirty (30) days after the recording of the assessment herein provided for."

Amendment adopted.

#### AMENDMENT NUMBER TWENTY

That on page 4 of said printed bill, in line 36 thereof, there be added after the word "district", the words "or districts".

Amendment adopted.

#### AMENDMENT NUMBER TWENTY-ONE.

That on page 4 of said printed bill, in line 42 thereof, there be added after the word "district", the words "or districts".

Amendment adopted.

#### AMENDMENT NUMBER TWENTY-TWO.

That page 4 of said printed bill be amended in line 44 thereof by adding after the word "assessment" the words "district or".

Amendment adopted.

#### AMENDMENT NUMBER TWENTY-THREE.

That page 6 of said printed bill be amended in line 11 thereof by adding after the words "right of way" the words "or operative property".

Amendment adopted.

#### AMENDMENT NUMBER TWENTY-FOUR.

That page 6 of said printed bill be amended by adding at the end of section 4, line 15, the following: "After said assessment and diagram are recorded the superintendent of streets or the county surveyor, as the case may be, shall attach thereto a warrant, which shall be signed by the superintendent of streets and countersigned by the mayor in the case of the city, or signed by the county surveyor and countersigned by the president of the board of supervisors in the case of the county, which said warrant shall be substantially in the manner and form following:

By virtue hereof, I, (-----) of the city of (or county of) (-----), State of California, by virtue of the authority vested in me as said (-----) do authorize and empower (name of contractor), (its, his or their) agents or assigns, to demand and receive the several assessments upon the assessment and diagram hereto attached, and this shall be (its, his or their) warrant for the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Name of superintendent of streets  
or county surveyor)

(Name of mayor or president of  
the board of supervisors)

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-FIVE.**

That page 6 of said printed bill, line 23 thereof, be amended by adding after the words "to him", the words "or the contractor, (its, his or their assigns)".

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-SIX.**

That page 6 of said printed bill, line 32 thereof, be amended by inserting after the sentence ending "declaration of intention", the following: "After said warrant, assessment and diagram are recorded, the same shall be delivered to the contractor, (its, his or their) agents or assigns, on demand, but not until after the payment to the superintendent of streets or the county surveyor as the case may be, of the incidental expenses not previously paid by the contractor or (its, his or their) agents or assigns. By virtue of said warrant, the contractor, (its, his or their) agents or assigns, shall be authorized to receive and receipt for the amounts of the several assessments included in said assessment. The street superintendent or the county surveyor, as the case may be, shall upon presentation of such receipt mark on the record of the assessment a note of payments so made."

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-SEVEN.**

That page 6 of said printed bill, line 33, be amended by inserting after the words "is made" the following words: "to the street superintendent or the county surveyor, as the case may be".

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-EIGHT.**

That page 6 of said printed bill, line 35, be amended by adding after the sentence ending with the word "payment", the following: "The contractor, (its, his or their) assigns shall after the expiration of said period of thirty (30) days file with the street superintendent or the county surveyor, as the case may be, a written statement of all payments that have been made to him on said assessment, prior to the expiration of said period of thirty (30) days."

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-NINE.**

That there be stricken from page 9 of said printed bill, lines 8 to 15, inclusive, that portion beginning with the word "upon" in line 8 and ending with the word "assessment" in line 15.

**Amendment adopted.**

**AMENDMENT NUMBER THIRTY.**

That there be added on page 9 of said printed bill, at the end of section 5, the following:

The said bonds shall be issued to the contractor, (its, his or their) assigns. Unpaid assessments amounting to less than twenty-five and no hundredths (\$25.00) dollars each shall be collected as hereinafter provided for in this act. If any person, shall at any time before the issuance of the bond representing the assessment upon his lot or parcel of land, present to the city treasurer or the county treasurer, as the case may be, his affidavit made before a competent officer that he is the owner of a lot or parcel of land upon which an assessment of twenty-five and no hundredths (\$25.00) dollars or more is placed by said assessment, accompanied by a certificate of a searcher of records, that he is such an owner of record, and notifies such treasurer in writing that he desires no bond to be issued for the said assessment, then no such bond shall be issued and the payee of the warrant or his assigns, shall have the right to enforce collection of the said assessment in the same manner that is hereinafter provided for the collection of assessments amounting to less than twenty-five and no hundredths (\$25.00) dollars each. The treasurer shall keep a record of all bonds issued by him, and of all payments on said bonds with the dates thereof. The assessment represented by a bond so issued shall be a first lien upon the property

covered thereby until such bond and the accrued interest thereon shall be fully paid according to the terms thereof.

The superintendent of streets or county surveyor is authorized at any time to receive the amount due upon any assessment list and warrant issued by him which shall not have gone to bond, and give a good and sufficient discharge therefor; *provided*, that when suit shall have been brought to collect the amount due upon any assessment as herein provided, the plaintiff shall file with the superintendent of street or county surveyor a written notice of the pendency of said action showing the particular assessments affected by said action or actions; and after the filing of said notice the said superintendent of streets or county surveyor shall not receive any money on account of said assessments, and thereafter he shall have no authority to cancel said assessment or give a discharge thereof without the written consent of the owner of said assessment until judgment has been rendered in said action or the same has been dismissed. In case any warrant is lost, upon proof of such loss a duplicate can be issued, upon which collections may be made with the same effect as on the original. After the filing of the written statement of payments as aforesaid, all amounts remaining due thereon shall draw interest at the rate of one per cent per month until paid, said interest to be computed from the date of the filing of the contractor's statement and there shall be added thereto a penalty of five per cent of the amounts due thereon.

It shall be the duty of the superintendent of streets on or before the fourth Monday of September of each year to certify to the city tax collector, or in case the city taxes are collected by the county, to the county tax collector, a list of the properties within said city upon which there is a lien for unpaid assessments, as shown by the records of the street superintendent.

In cases where the county collects city taxes the notice herein provided to be attached to or pasted to or printed or stamped upon the tax bill shall if the county tax collector so requires be prepared by the superintendent of streets and shall be forwarded to the county tax collector on or before the dates herein provided for forwarding said list. Such tax collector shall cause to be pasted or attached to or printed or stamped upon the tax bill or tax receipt, a notice which shall in substance be as follows:

Notice of delinquent street assessments.

Notice is hereby given that there is a delinquent street assessment due and unpaid on property included in this list and that unless same be paid as provided by law, such property will be subject to foreclosure. Information relative thereto may be secured from the street superintendent of the city in which such property is situate.

At any time after the first day of July next succeeding nine months following the date of recording of such assessment, the contractor or his assignee may sue in his own name the owner of the land, lots or portions of lots assessed on the day of the date of the recording of the warrant, assessment and diagram, and recover the amount of any assessment remaining unpaid together with interest and any penalties allowed hereunder; *provided*, that if any state, county or municipal taxes or other special assessment or assessments be delinquent on said property then such action may be brought at any time after recording of such assessment.

When suit has been brought in accordance with the provisions of this section, the plaintiff shall be entitled to have and recover fifteen dollars attorney fees on each assessment sued on, in addition to all taxable costs, notwithstanding that the suit may be settled or a tender may be made before a recovery in said action, and he may have judgment therefor; *provided*, that if the court finds an unnecessary number of actions have been brought, where the parties are identical, it may allow the costs of one action only, and *provided, further*, that such attorney's fee in any one action shall not exceed fifteen dollars where said action shall be settled before trial or where judgment shall be taken on default. Suit may be brought in the superior court within whose jurisdiction the city is, in which said work has been done, and in case any of the assessments are made against lots, portions of lots, or lands, the service of process may be had in said actions, in such manner as is prescribed in the codes and laws of this state. It shall be competent to bring a single action under any such assessment irrespective of the number of lots assessed where the parties defendant are identical, and where separate actions are brought, the same may be consolidated by order of the court. The said warrant, assessment and diagram, with proof of nonpayment, shall be held *prima facie* evidence of the regularity and correctness of the assessment and of the prior proceedings and acts of the superintendent of streets, and city council upon which said warrant, assessment and diagram are based, and like evidence of the right of the plaintiff to recover in the action. The plaintiff in such action may recover the cost of any abstract or report of search of title procured in good faith in order to determine ownership, such search to be by a reputable abstractor or title company and such cost not to exceed five dollars per lot, and such abstract or report of search with affidavit of payment to be filed in the action.

In a complaint in any such action it shall be held sufficient to allege briefly that the city council ordered the work, the performance of the work under the contract,



the making of the assessment, the issuing of said warrant and the making of said diagram; that an assessment (naming the amount) was levied against that certain lot or parcel of land (describing the same) which, according to the information and belief of the plaintiff, is owned by the defendant; that payment of said assessment has not been made.

In describing said lot or parcel of land in said complaint it shall be sufficient to refer to the same by its number upon said diagram, provided a certified copy of said warrant, assessment and diagram shall have been previously filed in the office of the recorder of the county or city and county in which the same is situated. It shall be the duty of such recorder to so file any such certified copy presented to him upon payment of the filing fee therefor, which fee is hereby fixed at fifty (50) cents.

If the contractor or his agent or any person acting in behalf of the contractor shall, prior to the filing of a complaint for the recovery of any assessment as herein provided or subsequent to the filing of suit and prior to the allowance of attorney fees and costs as herein provided, make any written demand upon or present any bill or notice in writing to such owner, demanding, requesting or notifying such owner to pay or that there is due, attorney's fees or court costs in connection with the collection of such assessment, then, the superintendent of streets is authorized, upon written demand of such owner, accompanied by the affidavit of such owner, that such written demand, bill or notice for the payment of attorney's fees and costs, or either thereof, was made upon or presented to such owner prior to the commencement of suit, or subsequent to the filing of suit and prior to the allowance of attorney's fees and costs, together with such written demand, bill or notice to make said assessment "paid" and such assessment shall thereby be deemed to be paid and the lien thereof released; *provided*, that this clause shall not be held to apply to the service of summons and complaint in a civil action.

Should suit be brought for the recovery of any assessment prior to the time permitted for bringing same as herein provided, then in such action, so brought the plaintiff shall not recover and defendant shall be entitled to have and recover such attorney's fees as the court may deem reasonable in addition to all taxable costs and he may have judgment therefor.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-ONE.

That there be added at page 9 of said printed bill, line 25, at the end of section 6, the following: "The provisions relative to giving notice, shall be the same as provided in section 3 of this act, with the exception that it shall be clearly stated therein that the proceedings are based upon an order made without previous application on the part of the city or county in question. It shall not be necessary that the city or county make any further application to the railroad commission other than for an order permitting the officers of the city or county to enter upon so much of the right of way of the street railroad, interurban railroad or railroad as may be necessary to effect the desired physical grade separation. A copy of the order of the railroad commission authorizing such action on the part of the officers of the city or county, shall be filed with the city clerk or the clerk of the board of supervisors, as the case may be, and notice of such filing shall be published by such clerk by two insertions in some newspaper of general circulation within such city or county. The provisions of section 3 hereof, relative to advertising for bids, awarding of contracts, and the execution of contracts, and the provisions of sections 4 and 5 hereof shall be applicable to proceedings carried through pursuant to this section."

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-TWO.

That all of sections 7, 8 and 9, on page 9 of said printed bill, be stricken out, namely, all of the matter contained from line 26 to 50, inclusive.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-THREE.

That there be added a new section to read as follows:

SEC. 7. Whenever any assessment heretofore issued or which may be hereafter issued is or shall be void, or unenforceable, for any cause, or if bonds shall have been, or shall be, issued to represent any assessments and such issuance shall not have been, or shall not be effective through the curative provisions in relation thereto, or any curative act that may be passed by the Legislature in relation thereto to make them valid and enforceable, then, in any of such events, a reassessment therefor may be issued. The true intent and meaning of this section is to make the cost and expense of work or improvement made through an attempted compliance with this act, payable by the real estate benefited by such work or improvement by making a reassessment therefor.

Such power of reassessing embraces both a full and a partial reassessment, and is not exhausted by a single attempted exercise thereof.

A reassessment shall be ordered under any one of four circumstances:

First—Where the owner or holder of any assessments, or of bonds issued under this act to represent assessments request the legislative body of the city in which the assessment has been or shall be issued to order a reassessment. In such event if said legislative body be of the opinion that the assessments or bonds in question are not enforceable it shall order the making and issuing of a reassessment covering only the assessments owned or held by the petitioner or the assessments represented by the bond owned or held by such petitioner.

Second—Whenever any court of competent jurisdiction in any suit to foreclose the lien of any assessment or to enforce the obligation of any bond issued to represent any assessments issued under this act, has for any reason held such lien unenforceable, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

Third—Whenever any court of competent jurisdiction in any suit to set aside the lien of any assessment or of any bond representing any assessment, or in any suit to quiet title against the lien of any such assessment, or bond shall in its judgment decree such assessments or bonds to be void, or unenforceable, then it shall in and by its decree direct the making of a reassessment to cover the assessments involved in such suit.

Fourth—Whenever any contractor or assignee of a contractor shall have done or performed any work or improvements pursuant to proceedings had and taken in attempted compliance with the provisions of this act, and whenever prior to the issuance of any assessment, any court of competent jurisdiction in any suit to invalidate the contract or any of such proceedings shall for any reason declare said contract or other proceedings to be invalid, then such court shall in and by its decree direct the making of a reassessment for the reasonable value of the work and improvement actually done and performed in good faith by the contractor, or such portion thereof as was of a kind that could lawfully have been ordered under the provisions of this act.

The manner of making, issuing and enforcing the reassessment shall be as follows:

The superintendent of streets or county surveyor shall, upon the entering of a decree of court directing a reassessment or upon the making of an order by the legislative body of the city directing a reassessment, proceed to make a reassessment in the following manner:

If the reassessment be a partial one only, then it shall not be necessary for the diagram to show any other lots than the ones covered by such partial reassessment. If it be a full reassessment, however, then it shall be upon the lots fronting on said work if the original assessment was one made on the front foot plan; if the original assessment was made against a district then the superintendent of streets or county surveyor shall prepare and file with the reassessment a diagram showing the lots, pieces or parcels of land from the work or improvement estimated as of the date of the original assessment shall first be listed. Then there shall be added thereto interest thereon from twenty (20) days after the date of recording the original assessment at the rate of seven per cent (7%) per annum, and the total sum shall constitute and be the amount of the proposed several assessments in such reassessment. The total of such reassessment, however, exclusive of interest, shall not exceed the cost of the work or improvement. Such assessment need not be in any prescribed form, but shall refer to the original assessment, give the date of the original assessment and state that it is made pursuant to the orders of the legislative body of the city or decree of the court, as the case may be, and shall be accompanied by a diagram showing the lots to be reassessed and their relation to the work. It shall then be presented to the legislative body, which shall fix a time for hearing before it. Such time must be at least twenty (20) days after the reassessment is so presented. The city clerk shall then advertise the time of such hearing before the legislative body by publishing a notice in the newspaper in which the notice of award of contract for the improvement for which the assessment was made, was published unless the legislative body directs publication in some other paper. If the reassessment is to be against the property in a district, then this fact shall be stated in the notice and a description of the district shall be set forth and the assessment diagram referred to for particulars. Such notice shall be published less frequently. At the time fixed for said hearing, or at such time less frequently. At the time fixed for said hearing, or at such time or times to which the same may be thereafter adjourned, the legislative body shall consider the objections to said reassessment and in its discretion informally direct the revision, correction or modification of such reassessment in such manner as is most equitable to apportion to each lot, piece or parcel of land thereby benefited the amount of the actual benefits derived from said improvement. When such reassessment shall have been revised or corrected or modified so as to comply with the judgment of said legislative body, then it shall pass a resolution confirming the reassessment. The street superintendent or county surveyor shall thereupon record the reassessment with a certificate at the end thereof by the

city clerk, that it is the reassessment approved by the legislative body of the city. He shall also note opposite the several assessments in the original assessment that have been displaced by the reassessment the fact that the reassessment has been made, giving its date, and shall credit upon such reassessment or upon the bonds issued to represent the same, together with all payments theretofore made upon the original assessment, interest on such payments at the rate of seven per cent (7%) per annum from and after the date of such payments. Such reassessment shall be collectible and payable in the same manner as an original assessment and shall be enforceable by suit in the same manner provided in this act for enforcing an original assessment, and shall have the same weight in evidence. In the event that bonds issued under the original assessment they shall also issue upon the reassessment for such sum as may be reassessed against the lot, piece or parcel of land covered thereby. When the reassessment is recorded the original assessment shall be canceled by the street superintendent or the county surveyor so far as it affects the particular assessments involved. New bonds shall not be issued until the original bonds are delivered up to the city treasurer, who shall cancel the same. The lien of such reassessment shall hold its relative rank as to other special assessment liens as of the date of the original assessment.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-FOUR.

That there be added a new section thereto to be known as section 8, to read as follows:

SEC. 8. In the event that any of the expense of said grade separation shall be paid by the State of California, or in the discretion of such legislative body shall be paid out of its treasury, then such legislative body shall determine the said amount prior to advertising for bids and designate the fund from which it is to be paid. In such event there shall be deducted from the portion of the expense of such grade separation which is not to be paid by the owner of the street railroad, interurban railroad or railroad, such amount as shall be paid by the State of California, or from the public treasury of the city or county as hereinbefore provided, and only the remainder of such expense shall be assessed upon or against the property in any district or districts of land made assessable under the proceedings hereunder.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-FIVE.

That there be added a new section thereto to be known as section 9, to read as follows:

SEC. 9. The legislative body conducting the proceedings under this act shall have the power and authority to appoint any competent person to serve as superintendent of work, whose duty it shall be to have the actual supervision of the physical work of grade separation called for by the contract. The compensation of such superintendent of work shall be fixed by the legislative body, provided that any county officer in case the proceedings are carried through by a county, or any municipal officer or board in case the proceedings are carried through by a county, or any municipal officer or board in case the proceedings are carried through by a city, may be appointed such superintendent without compensation.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-SIX.

That there be added a new section thereto, to be known as section 10, to read as follows:

SEC. 10. Whenever any lot, piece or parcel of land belonging to the United States, or to the State of California, or any lot, piece or parcel of land belonging to any county, city, public agent, mandatory of the government, school board, educational, penal or reform institution or institution for the feeble minded or the insane, and being in use in the performance of any public function, shall be included within the district or districts, declared by the city council or board of supervisors in its declaration to be the district or districts to be assessed to pay the costs and expenses thereof, said council or board may, in the declaration of intention, declare that said lots, pieces or parcels of land, or any of them, shall be omitted from the assessment thereafter to be made to cover the costs and expenses of said work or improvement. In the event that said lots, pieces or parcels of land, or any of them, shall by said declaration be omitted from the assessment, then the total expense shall be assessed on the remaining lots lying within the limits of the assessment district or districts, without regard to such omitted lots, pieces or parcels of land. In the event that the council or board, shall, in such declaration of intention, declare that said lots, pieces or parcels of land so owned as aforesaid, or any of them, shall be included in the assessment, or in the event that no declaration is made respecting such lots, pieces or parcels of land, or any of them, then said city or county shall be liable for such



sum or sums as may thereafter be assessed against any such lots, pieces or parcels of land so owned and used, and so included in the assessments by reason of the aforesaid declaration, or such lots, pieces or parcels of land so owned and used respecting which the declaration of intention makes no declaration, which shall be payable by the city or county out of the general fund unless the legislative body shall in its declaration of intention designate another fund; *provided, however*, that any such sum or sums which may be assessed against any such lots, pieces or parcels of land so owned and used, shall not be payable by the city or county when such sum or sums are paid by the owner of or the governing body controlling such lots, pieces or parcels of land.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-SEVEN.

That there be added a new section thereto, to be known as section 11, to read as follows:

SEC. 11. The county or municipality carrying through the proceedings shall not be liable for any portion of the expenses of the work, nor shall any officer thereof be so liable, excepting for such sums as may have been declared by the legislative body to be payable from the treasury as hereinbefore provided, and the contract for the work of improvement shall contain express notice to this effect.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-EIGHT.

That there be added a new section thereto, to be known as section 12, to read as follows:

SEC. 12. The legislative body of the city and the board of supervisors of the county shall have the power to prescribe by ordinance general rules respecting the mode of performing the work of grade separation and fixing the terms and contents of the contract so far as not in conflict with the express provisions contained herein. Such power shall be supplemental to the power of adopting specifications. Specifications, plans, profiles, drawings and maps may be adopted by such legislative body in and by its declaration of intention or by the declaration prescribed in section 6 hereof.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-NINE.

That there be added a new section thereto, to be known as section 13, to read as follows:

SEC. 13. The terms "streets, highways or public ways" shall include all public roads, highways, streets, avenues, boulevards, or other thoroughfares. The term "right of way" shall include the land over and upon which a street railroad, interurban railroad or railroad may be maintaining its tracks, and the spaces between tracks when there shall be more than one, and a sufficient space outside the tract or tracks for the suitable and proper operation of the same, whether owned in fee or as an easement, or whether the same lie within the lines of any street, highway or public way.

The term "incidental expenses" as used in this act shall include the compensation of the superintendent of work; the compensation of the city engineer or county surveyor for work done by him; the cost of printing and advertising as provided for in this act and the expenses of making the assessment. All demands for incidental expenses shall be presented to the street superintendent or county surveyor, by itemized bill duly verified by oath of the demandant.

The expression "grade separation" or "separation of grades" shall include all work necessary to properly and satisfactorily accomplish the physical separation of grades described in this act, and shall include all items of work appropriate thereto, such as excavating, grading, filling, paving, repaving, constructing or reconstructing sidewalks, steps, parks, parkways, culverts, bridges, gutters, subways, viaducts, the installation of drains, instrumentalities for lighting, retaining walls, embankments, and all other structures necessary and suitable to accomplish said purpose, including the replacing or substitution of any improvements in existence in the area affected prior to the performance of the actual work of grade separation both upon or in the area of the street, highway, or public way in question and the area of the right of way of the street railroad, interurban railroad or railroad upon which work may be required by or in connection with such grade separation.

The notices, declarations, resolutions, orders or other matters required to be published by the provisions of this act, shall be published in a newspaper published within the city or the county, or of general circulation therein and no other statute shall govern or be applicable to the publications herein provided for. No proceeding or step herein shall be invalidated or avoided by any departure herefrom with respect to the person or instrumentality connected with the publication, provided the same is

actually published in a newspaper which will reasonably serve to give publicity to the fact of the adoption of the declaration, resolution, order, notice or determination in question.

### Amendment adopted.

#### AMENDMENT NUMBER FORTY.

That there be added a new section thereto, to be known as section 14, to read as follows:

SEC. 14. This act shall be liberally construed to the end that its purpose may be effective. No error, defect, irregularity, informality, and no neglect or omission of officer of the city or county in any proceedings or any bonds which may be issued pursuant thereto. The exclusive remedy of any person affected or aggrieved thereby, shall be by appeal to the city council or the board of supervisors, as the case may be. The sole acts prerequisite and essential to confer jurisdiction upon the city council or the board of supervisors in addition to obtaining the order and determination of the state railroad commission as herein provided, shall be the publication of the declaration of intention as provided in section 3 of this act, or of the declaration of intention provided in section 6 hereof, and the publication of such declaration of intention in the manner provided in this act. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-ONE.

That there be added a new section thereto, to be known as section 15, to read as follows:

SEC. 15. This act shall be known as and whenever cited, referred to or mentioned, shall be designated as "the grade separation act of 1927."

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 203—An act to amend sections 4, 5, 7, 35 and 41 of an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, exclusion of public property and mode of assessing and levying special assessment taxes.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

#### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, insert "three," before the word "four" and the following after the comma following the word "seven": "nine, eleven," and strike out the word "and" at the end of the line and insert in lieu thereof a comma after the word "thirty-five".

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, insert the following before the word "forty-one": "thirty-nine, forty," and add the following after the word "forty-one": "and fifty".

### Amendment adopted.

#### AMENDMENT NUMBER THREE.

In line 9 of the title of the printed bill, strike out the period after the word "taxes", insert in lieu thereof a comma and add the following new matter thereafter: "filing copies of specifications, fixing time for receiving bids, employment of attorney

to prepare proceedings, time within which bonds are to be paid, time of payment of interest and manner of fixing rate thereof, sale of bonds, signers of objections, and definition of terms, and to add two new sections to said act, to be numbered sections 28½ and 36½, relating to the interest rates and sale of acquisition bonds and immediate possession bonds."

### Amendment adopted.

#### AMENDMENT NUMBER FOUR.

Following line 34, on page 2, of the printed bill, insert the following new paragraph:

In case the consent of any legislative body other than the one conducting the proceeding is required, as provided in section 2 of this act, then, after the specifications shall have been approved and filed, the legislative body conducting the proceeding shall, by resolution, request such consent (or consents, if more than one is necessary,) and a copy of the resolution requesting such consent, together with a copy of the specifications, shall be filed with the legislative body, or bodies, whose consent is requested. Such legislative body, or bodies, may consent by resolution.

### Amendment adopted.

#### AMENDMENT NUMBER FIVE.

On page 3, line 7, of the printed bill, after the comma following the word "acquired" insert the following new matter: "state the purpose of such acquisition,".

### Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 4, line 25, of the printed bill, after the comma following the word "semi-annually" insert the following new matter: "the first interest payment to be made on the second day of January or the second day of July, as the case may be, next succeeding one year after the date of such bonds,".

### Amendment adopted.

#### AMENDMENT NUMBER SEVEN.

Following line 40, on page 4, of the printed bill, insert the following new paragraphs:

The time within which the acquisition bonds and immediate possession bonds to be issued under the proceeding shall be paid and discharged may differ from the time within which the improvement bonds issued under the proceeding may be paid and discharged, in which case the resolution of intention shall state all matters as to the time within which the bonds issued under the proceeding will be paid and discharged as hereinbefore required, both for the improvement bonds and also for all acquisition bonds and immediate possession bonds, if any.

Said resolution of intention may provide that the interest rate to be paid on all acquisition bonds and immediate possession bonds, if any, which shall be issued under the proceedings shall not exceed a maximum rate to be stated in said resolution, which maximum rate shall not exceed eight per cent per annum, payable semi-annually; and, if such maximum rate be provided for in the case of acquisition bonds and immediate possession bonds, without giving the final and exact interest rate at which such bonds will eventually be issued and sold, said resolution shall contain a statement thereof with respect to such bonds, in lieu of the statement hereinbefore in this section provided.

### Amendment adopted.

#### AMENDMENT NUMBER EIGHT.

Following line 16, on page 7, of the printed bill, add the following new matter:

Sec. 4. Section 9 of said "Acquisition and improvement act of 1925" is hereby amended to read as follows:

Sec. 9. At any time not later than the hour set for hearing objections as provided in the preceding section, any owner of land within the boundaries of the assessment district as set forth in said resolution may, severally, or with other such owners, file with the clerk of the legislative body conducting the proceedings written objection to the thing or things proposed to be done, whether it be an improvement or acquisition, or both, or to the grade or grades to which the improvement is proposed to be constructed, or to the extent of the assessment district, or to the zones, if any, into which the said district is divided, or to the percentages proposed to be raised from each of said zones, or to any or all of the foregoing. Upon such hearing all objections and protests to the doing of the thing or things proposed to be done shall be heard and considered. If upon said hearing it appears that the owners of more than one-half of the area of the property included within the entire assessment district, as proposed, have in writing made objection to the doing of the thing or things pro-



posed to be done, i.e., the improvement or acquisition, or both, as the case may be, in their entirety, and to the ordering of the same, the legislative body shall, by a resolution to be entered upon its minutes, so find and thereupon such legislative body shall have no power to proceed further under said resolution of intention nor to adopt any resolution for doing the same thing or things during a period of one year next succeeding the time of such finding, unless the said objections be overruled by an affirmative vote of four-fifths of the members of such legislative body. In order that such objections operate as a bar, as aforesaid, in the absence of such a four-fifths vote, they must specifically state that the objections are to the doing of the thing or things proposed in their entirety and not merely to some item, class, kind or part of the thing or things proposed to be done. If the fact be that the owners of more than one-half of the area of the property included within the entire district as proposed have not so in writing made objection going to the ordering of the thing or things proposed to be done, as an entirety, the legislative body shall so find, and may thereupon proceed with the hearing, but such finding need not be in writing and may, for the purpose of proceeding with the hearing, be a mere announcement of the body. Next shall be heard, in any order desired by such body, such objections as shall be made to the extent of the district and to the zones, if any, into which said district is divided and to the percentages to be raised therefrom as set forth in the resolution of intention, and objections to the grade or grades to which the improvement is proposed to be constructed.

The hearing may be continued from time to time by the legislative body by an order to be entered upon its minutes.

Owners of land within the meaning of this section are those, and those only, who appear to be such upon the records in the recorder's office of the county in which the district is situated on the day before the day set for said hearing, and an executor or administrator shall be deemed representative of his decedent, and a trustee of an express trust in land, other than as security for the payment of money, of the land held in such trust, and a trustee in bankruptcy of the bankrupt, and a guardian of his ward. Owners of land within the meaning of this section shall also include any person who holds a valid contract to purchase land, which fact must either be shown to be such upon the records in said recorder's office or the owner signing the protest must exhibit his contract to purchase; *provided, however*, that if both the owner of record and the contract purchaser shall present protests for the same land, only one protest shall be counted. The objection of any owner may be made by the signature of his agent; *provided*, that there must be attached to the objection the affidavit of the agent that he is duly authorized to sign said objection. Every written objection must contain a description of the property in which each signer thereof is interested sufficient to identify it, and must set forth the nature of his interest therein and, if signed by more than one objector, must be accompanied by the affidavit of one of the signers thereto that each signature thereto is the genuine signature of the person whose name is thereto subscribed. Any written objection not complying with the foregoing requirements shall not be considered by the legislative body in determining whether objection has been made to the doing of the thing or things proposed to be done, as an entirety, by the owners of more than one-half or more than three-fourths of the area of the property included within the assessment district.

Sec. 5. Section 11 of said "Acquisition and improvement act of 1925" is hereby amended to read as follows:

Sec. 11. Having thus taken action upon all objections and protests to the doing of the thing or things proposed to be done and having determined the boundaries of the district and of the zones, if any, and the percentages to be raised therefrom, and the grades for the improvement, the legislative body shall have jurisdiction and may, by resolution, order the thing or things proposed to be done in the resolution of intention to be done. The resolution ordering the doing of the thing or things proposed to be done may be the same in which all of the final determinations above mentioned are made, or it may be a separate resolution, in which latter case it shall refer to the resolution making said final determination. Neither said resolution ordering the doing of the thing or things proposed to be done nor any resolutions, notice, orders or determinations thereafter made or given in the proceeding need contain a description of the work or improvement to be done or the property to be acquired, and it shall be sufficient in any of the foregoing to refer therein to the resolution of intention for a description of the work or improvement to be done, or the property to be acquired, or both, as the case may be, and, if the boundaries of the district, the zones, percentages and grades set forth in the resolution of intention have not been changed, it shall be sufficient in any of the foregoing to refer therein to the description of the same set forth in the resolution of intention, but if said boundaries, said zones, said percentages, and said grades or any or all of the same have been changed then it shall be sufficient to refer to the resolution changing and determining the same for a description thereof and all details relative thereto. If said resolution ordering the doing of the thing or things proposed to be done includes the acquisition of property, the legislative body shall therein direct an action to be brought by the attorney, in the proper superior court, in the name of the county or of the municipality for which the legislative body

conducting the proceedings functions, as the case may be, for the condemnation of the property necessary or convenient to be taken therefor. If said resolution orders work or improvement to be done, the legislative body shall therein fix a time for receiving bids for doing said work or improvement and direct the clerk thereof to give notice accordingly, inviting sealed bids. In the event the proceeding includes the acquisition of property which must be acquired before the construction of the improvement can be commenced, the time for receiving bids may be fixed as the first regular meeting day of the legislative body after the expiration of fifteen days following the signing of the decree or order of the court entitling the plaintiff in the action to possession and use of the property sought to be acquired, and the clerk shall be directed in said resolution to give the notice inviting bids after the signing of such decree or order; or a future day and hour certain may be fixed and if a decree or order giving possession is not obtained at a time prior to such day sufficient to permit the first publication of the notice inviting bids to be had at least ten days prior thereto, the legislative body may, by resolution, re-fix said day for receiving bids and direct the clerk to give notice inviting bids for said new day so fixed. A single exercise shall not exhaust this power to re-fix the day for receiving bids in such cases, but it may be resorted to as many times as are necessary.

In the event that the proceeding includes both an acquisition and improvement the legislative body may require the bidders who submit bids for performing the work and improvement to purchase the bonds which have been or are to be issued to cover the cost of the acquisition and immediate possession, or either or both and to include in their bid for the improvement a bid for said bonds, which shall not be for less than par. Such determination and requirement shall be made by resolution and shall direct the clerk to give notice accordingly in the notice inviting bids, stating the total par value of such bonds, and the interest rate, if fixed; otherwise the maximum interest rate. In the event such determination and requirement are made, the time fixed for receiving bids for the improvement may be any time after directing the issuance of the bonds under the provisions of section 28 or section 36 of this act, fixing a day certain, but the power to re-fix such time shall exist as heretofore in this section provided. In such event the provisions made elsewhere for the notice of sale and sale of such bonds shall not apply, where inconsistent herewith. The bidder shall be required to pay for such bonds in cash and the awarding of the contract shall be conditioned upon such payment and the obtaining by the plaintiff in the action to acquire the public way or ways involved, a valid court order, judgment or decree entitling it to possession of the public ways to be improved.

SEC. 6. A new section is hereby added to said "Acquisition and improvement act of 1925", to be numbered section 28½, and to read as follows:

SEC. 28½. In the event that it is provided in the resolution of intention that bonds for immediate possession shall be issued at a maximum rate of interest, which shall not exceed eight per cent per annum, payable semiannually, leaving the exact rate of interest at which the bonds are to be issued and sold to be determined at the sale of such bonds, then the notice provided for in the preceding section shall state that said bonds will bear interest at a rate not to exceed the maximum rate therefor named in said resolution, stating the same. Upon the order for the issuance of said bonds by the legislative body, if such order is made, and the issuance of the same by the treasurer, the legislative body shall advertise the sale of said bonds, calling for bids therefor and fixing a time for the receipt of bids which shall be not less than five days subsequent to the order directing such advertisement, which advertisement shall be published by at least two insertions. At the time fixed for the receipt of such bids, or as soon thereafter as the legislative body can conveniently do so, it shall publicly open, examine and declare the same. Said bonds shall be sold to the best responsible bidder for cash therefor, and consideration shall be given to the rate of interest at which the bonds are offered to be purchased and the premium offered, if any. The rate of interest at which said bonds are sold shall not exceed the maximum rate named in the resolution of intention; and the rate of interest at which the legislative body sells said bonds shall thereupon be fixed as the rate of interest therefor and its such fixing and determination of said rate of interest shall be final and conclusive. Said bonds shall not be sold for less than par, and if any bonds be sold for an amount in excess of par such excess shall be applied to the interest and sinking fund for the retirement of the bonds issued. The proceeds of such sale shall be paid to the treasurer and by him be used as provided in the preceding section. Where not inconsistent, the provisions of the preceding section shall apply to the procedure provided in this section.

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 17 on page 7 of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "7".

Amendment adopted.

## AMENDMENT NUMBER TEN.

Following line 50, on page 7, of the printed bill, insert the following new matter:  
 SEC. 8. A new section is hereby added to said "Acquisition and improvement act of 1925", to be numbered section 36½, and to read as follows:

Sec. 36½. In the event that it is provided in the resolution of intention that bonds for the acquisition shall be issued at a maximum rate of interest, which shall not exceed eight per cent per annum, payable semi-annually, leaving the exact rate of interest at which the bonds are to be issued and sold to be determined at the sale of such bonds, then the notice provided for in the preceding section shall state that said bonds will bear interest at a rate not to exceed the maximum rate therefor named in said resolution, stating the same. Upon the order for the issuance of said bonds by the legislative body, if such order is made, and the issuance of the same by the treasurer, the legislative body shall advertise for the sale of said bonds, calling for bids therefor and fixing a time for the receipt of bids which shall be not less than five days subsequent to the order directing such advertisement, which advertisement shall be published by at least two insertions. At the time fixed for the receipt of such bids, or as soon thereafter as the legislative body can conveniently do so, it shall publicly open, examine and declare the same. Said bonds shall be sold to the best responsible bidder for cash therefor, and consideration shall be given to the rate of interest at which the bonds are offered to be purchased and the premium offered, if any. The rate of interest at which said bonds are sold shall not exceed the maximum rate named in the resolution of intention; and the rate of interest at which the legislative body sells said bonds shall thereupon be fixed as the rate of interest therefor and its such fixing and determination of said rate of interest shall be final and conclusive. Said bonds shall not be sold for less than par, and if any bonds be sold for an amount in excess of par such excess shall be applied to the interest and sinking fund for the retirement of the bonds issued. The proceeds of such sale shall be paid to the treasurer and by him be used as provided in the preceding section. Where not inconsistent, the provisions of the preceding section shall apply to the procedure provided in this section.

SEC. 9. Section 39 of said "Acquisition and improvement act of 1925" is hereby amended to read as follows:

Sec. 39. The bonds issued under and in pursuance of this act for an acquisition or improvement, or both such acquisition and improvement, may in form and shall in substance (using designations and filling blanks as appropriate under the proceeding) be as indicated following, to-wit:

## ACQUISITION AND IMPROVEMENT DISTRICT BOND.

Acquisition and improvement district number-----of the county (or city) of -----, State of California.

\$----- Bond number----- Series-----

Under and by virtue of an act of the Legislature of the State of California, known as the "acquisition and improvement act of 1925", the county (or city) of -----, State of California, will pay to the bearer, out of the fund hereinafter designated, at the office of the treasurer of said county (or city), on the ----- day of -----, 19-----, the sum of ----- dollars in gold coin of the United States of America, with interest thereon in like gold coin at the rate of ----- per cent per annum, payable semi-annually on the second day of January and the second day of July in each year from the date hereof (except that the first interest payment will be made on the second day of ----- next succeeding one year after the date of this bond and the last installment of interest payment will be paid at the maturity of this bond) upon the presentation and surrender, as they respectively become due, of the proper interest coupons hereto attached, the first of which is for interest from the date hereof to the second day of ----- (here insert the month, January or July, which next succeeds the date of the bond) next succeeding one year after the date of this bond, and the last for interest to the maturity hereof from the last preceding date of interest payment.

This bond is issued under and in conformity with the provisions of the above mentioned "acquisition and improvement act of 1925" and is one of ----- (here use the words "a series of", if bonds are to be issued under the proceeding for either an acquisition or improvement only, and the words "several series of", if bonds are to be issued for both an acquisition and improvement) ----- bonds to be issued to represent the expenses of certain ----- (here use the words "acquisitions of property by the public", if bonds are to be issued for an acquisition only, and the words "public improvement," if bonds are to be issued for an improvement only, and the words "acquisitions of property by the public and public improvements," if bonds are to be issued for both an acquisition and improvement in the same proceeding) ----- authorized by the provisions of said act and comprehended in the proceedings had for the above named district. It is hereby certified, recited and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed, and this bond is by law made conclusive evidence thereof.



This bond is payable out of the "acquisition and improvement district number \_\_\_\_\_ of the county (or city) of \_\_\_\_\_ interest and sinking fund" exclusively, as the said fund appears upon the books of the treasurer of said county (or city) and neither said county (or city) nor any officer thereof shall be helden for its payment otherwise; but in accordance with the provisions of said act a special assessment tax will be levied and collected upon the lands in said district in an amount clearly sufficient to pay the principal and interest of said bonds as the same shall become payable.

In witness whereof the \_\_\_\_\_ (here designate the legislative body) \_\_\_\_\_ of the said county (or city) has caused this bond to be signed by the treasurer of said county (or city) and the seal of \_\_\_\_\_ (here use the words "the board of supervisors of said county" or the words "said city", as the case may be) \_\_\_\_\_ to be affixed this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Treasurer of the county (or city) of \_\_\_\_\_  
State of California.

The designation of the district by its name and number set forth at the top of the bond shall be sufficient to identify and distinguish each and all of the bonds thereof from any other issue. In the event that the proceeding comprehends an improvement only, all the bonds issued thereunder may be designated as of one series, as for example "Series A". In the event it comprehends an acquisition, and bonds are issued to raise funds necessary to obtain an order of immediate possession and use of the property to be acquired before trial, as in this act provided, the bonds issued for that purpose shall be designated by a separate series from those issued thereafter, if any, to defray the remaining expenses of the acquisition, as for example, "Series A" for the bonds issued to raise such funds and "Series B" for the bonds issued for the remaining expenses of the acquisition. In the event the proceeding comprehends both an acquisition and an improvement, the bonds issued for the expenses of the acquisition shall be designated by separate series, as for example, those issued to raise funds to obtain such an order of possession as "Series A", those issued for the improvement as "Series B", and those issued for the remaining expenses of the acquisition as "Series C", according to the order, in point of time, in which the respective issues are made.

All bonds issued under this act shall be signed by the treasurer of the county or municipality whose legislative body conducts the proceeding and shall have the seal of the board of supervisors of the county or the seal of the city, as the case may be, thereto affixed, and when so signed shall be binding according to the terms thereof as prescribed in the above form therefor. The interest coupons attached to said bonds shall be in such form as the said treasurer shall determine, subject to the provisions of this act and the determination made by the legislative body, and the signature on said interest coupons by said treasurer, by either written or engraved or printed facsimile signature shall be sufficient.

SEC. 10. Section 40 of said "Acquisition and improvement act of 1925" is hereby amended to read as follows:

Sec. 40. The principal and interest of the bonds issued under this act shall be payable in gold coin of the United States of America at the office of the treasurer issuing the same. The legislative body is hereby vested with power to determine, and shall in the resolution of intention determine, the number of years, not to exceed thirty, after the issuance of any bonds issued, within which the aggregate principal of all bonds to be issued in any proceeding under this act shall be paid and discharged, and to fix the rate of interest, not to exceed eight per cent per annum, payable semiannually, to be paid thereon; *provided, however*, that in the case of acquisition bonds and immediate possession bonds the rate stated in the resolution of intention need only be a maximum rate, which shall not exceed eight per cent per annum, payable semiannually, in which case the exact rate of interest shall be determined upon the sale of the bonds, as heretofore in this act provided. It shall be a sufficient determination and fixing of the term and interest rate of said bonds to set forth in the resolution of intention that bonds will be issued for the expense of the things to be done in any language that will fairly indicate such time, the fractional part of the principal to be paid each year, and the interest rate for improvement bonds and either the interest rate or the maximum interest rate for which acquisition bonds and immediate possession bonds will be issued. It may be provided in said resolution that the first payment of principal shall become due either one, two, three, four or five years after the date of said bonds. The number of installments of payments on the principal shall be indicated in said resolution of intention, and in any proceeding the number of installments of payments on the principal of improvement bonds may differ from the number of installments of payments on the principal of acquisition bonds and immediate possession bonds, if any, to be issued in said proceeding. The amount of the principal due in each annual payment need not be exactly the same, but with respect to each installment excepting the last may be made to differ not more than five hundred dollars from the amount obtained by dividing the total of the principal amount due under the

bonds by the number of installments. Each installment, except the last, shall be an even multiple of one hundred and the last installment shall be for the balance of the total principal amount not provided to be paid in the previous installments.

The interest payments on said bonds shall be payable semiannually on the second day of January and the second day of July of each year, except that the first interest payment shall be made on the second day of January or the second day of July, as the case may be, next succeeding one year after the date of said bonds, and except that the last installment of interest shall be payable at the maturity of the bonds, in the manner indicated in the form of bond in this act set forth. It shall not be necessary, either in the resolution of intention or otherwise, to set forth or determine the days of the month on which payments of interest are to be made, nor that payments shall be made in gold coin, nor that payments shall be made at such treasurer's office, but all persons are charged with notice of the contents of this section, especially in the aforesaid particulars.

#### Amendment adopted.

##### AMENDMENT NUMBER ELEVEN.

On page 8, line 1, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "11".

#### Amendment adopted.

##### AMENDMENT NUMBER TWELVE.

On page 10 of the printed bill, strike out lines 8, 9 and all of line 10 up to the word "in" and change the letter "i" in the word "in" to a capital.

#### Amendment adopted.

##### AMENDMENT NUMBER THIRTEEN.

On page 12 of the printed bill, following line 24, add the following new matter: Sec. 12. Section 50 of said "Acquisition and improvement act of 1925" is hereby amended to read as follows:

Sec. 50. Subdivision 1. The term "public way," as used in this act, shall be deemed to mean and shall include all public highways, roads, streets, avenues, boulevards, lanes, alleys, walks, courts, places, parks, pleasure grounds, commons, airports, flying fields and places for the flying, taking-off, landing and storage of aircraft and aerial traffic, and all public ways and other property, rights of way and easements of the public, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying partly within such unincorporated territory and partly within that of one or more incorporated municipalities, or whether lying within two or more municipalities, or forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county or the territory of another municipality, whether wholly or partly within or without said boundaries. Said term, as used in this act, shall also be deemed to mean and shall include all property for which an order to take immediate possession and use of a right of way thereover for a public use has been obtained from a court of competent jurisdiction in any action in eminent domain or proceeding for the acquisition thereof, in compliance with the provisions of section 14 of article I of the constitution of this state.

Subdivision 2. The word "acquire", and any of its variants, as used in this act, shall be deemed to mean and shall include the acquisition of any public way or ways, as the same are above defined, and any other property and rights of way of the public, or to be acquired for the public, in any manner provided by law, including the acquiring, laying out, opening, extending, widening, and straightening of the same, in any manner, in whole or in part.

Subdivision 3. The word "improve", and any of its variants, as used in this act, shall be deemed to mean and shall include the construction or doing of the things and work following, either singly or in any combination thereof, as well as the reconstruction and repairing thereof, viz:

(a) Grading or regrading, paving or repaving, planking or replanking, macadamizing or remacadamizing, graveling or regraveling, oiling or reoilng.

(b) The construction or reconstruction of sidewalks, crosswalks, steps, parks and parkways, culverts, bridges, curbs, gutters, tunnels, subways or viaducts.

(c) The construction in any public way of any of the things in this subdivision named necessary or convenient for the separation of grades at any crossing or a street railroad, interurban railroad or railroad by any public way, or vice versa, together with the construction of all other structures, work and appurtenances necessary or convenient to accomplish said purpose.

(d) Sanitary sewers or instrumentalities of sanitation, together with the necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, disposal

plants, connecting sewers, ditches, drains, conduits, tunnels, channels or other appurtenances.

(e) Drains, tunnels, sewers, conduits, culverts and channels for drainage purposes; with necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, channels and appurtenances.

(f) Poles, posts, wires, pipes, conduits, tunnels, lamps and other suitable or necessary appliances for the purpose of lighting public ways or property.

(g) Pipes, hydrants and appliances for fire protection.

(h) Breakwaters, levees, bulkheads and walls of rock or other material to protect public ways, or property or rights of way from overflow by water.

(i) Wells, pumps, dams, reservoirs, storage tanks, channels, tunnels, conduits, pipes, hydrants, meters or other appurtenances for supplying or distributing a domestic water supply.

(j) Mains, services, pipes, fittings, valves, regulators, governors, meters, drips, drains, tanks, ditches, tunnels, conduits, channels, or other appurtenances for supplying or distributing a domestic or industrial gas supply.

(k) Retaining walls, embankments and other structures necessary or suitable in connection with any of the work mentioned in this section.

(l) The construction, reconstruction and repair of buildings, structures, lighting equipment, and all other equipment and facilities necessary or convenient for airports and flying fields and for the flying, taking-off, landing and storage of aircraft and aerial traffic.

(m) The planting of trees, shrubs or other ornamental vegetation.

(n) All other work which may be deemed necessary to improve the whole or any portion of any public ways or property or rights of way of the public.

(o) All other work or improvements auxiliary, incidental, necessary or convenient to any of the above, which may be required to carry out, facilitate or complete the same.

Subdivision 4. The word "work", when used in this act, shall be deemed to mean and shall include all the things included and all the works comprehended within the above definition of the word "improve".

Subdivision 5. The words "acquisition" and "improvement", when used in this act, referring to that which is done, which is to be done, or which may be done under proceedings had under this act, shall be understood to be generic and as being employed for the purpose of brevity and to avoid repetition, and shall refer to and include any or all of the things comprehended in the definition of the words "acquire" and "improve" above given.

Subdivision 6. All work or improvement provided to be done "in" or "on" any public way or property or rights of way of the public in this act shall be deemed to mean and shall include such work or improvement in, under, upon and above the same.

Subdivision 7. The term "legislative body", as used in this act, when applied to a municipality, shall mean the body or board which, under the law, constitutes the legislative department of the government of the municipality, and, when applied to a county, shall mean the board of supervisors of the county.

Subdivision 8. The term "incidental expenses", as used in this act, when referring to proceedings for an acquisition, shall be deemed to mean and shall include, in addition to the amounts awarded to the defendants by the interlocutory judgment, the costs of the defendants, the compensation and expenses of the referees, as allowed by the court, and all other costs of the plaintiff in such action and expenses incurred by it in the trial thereof, including the compensation paid expert appraisers and witnesses, all expenses necessarily incurred in connection with such proceedings for the publication and posting of resolutions, notices and orders in any of the proceedings, for maps, plats, surveys, searches and certificates of title to the property to be acquired, the compensation of the person appointed to prepare and furnish specifications for the acquisition, the compensation of the special counsel or attorney employed to prepare any or all of the proceedings and other matters necessary to be had and taken or to commence, prosecute and bring to a conclusion the necessary court actions, or for any or all of such services, the clerical, stenographic and printing expenses incident to the action, and the estimated cost of preparing and selling the bonds and any other expenses incurred by authority of this act or incidental to the completion of the acquisition in the manner herein specified. The said term, as used in this act, when referring to proceedings for an improvement, shall be deemed to mean and shall include all expenses necessarily incurred in the proceedings for the publication and posting of resolutions, notices and orders in any of such proceedings, the compensation of the person appointed to prepare and furnish specifications therefor, the compensation of the attorney employed, the compensation of the superintendent of work, the compensation of the engineer and the estimated cost of preparing the bonds and any other expenses incurred by authority of this act or incidental to the completion of the improvement in the manner herein specified.



Subdivision 9. The word "treasurer", as used in this act, shall mean and refer to, in all proceedings conducted by the legislative body of the county, the county treasurer, and in all proceedings conducted by the legislative body of a municipality, the city treasurer.

Subdivision 10. The word "municipality" and the word "city", as used in this act, shall mean and include any corporation heretofore organized and now existing and those hereafter organized for municipal purposes.

Subdivision 11. The word "land" and "lands", as used in this act, shall be deemed to refer to and shall include pieces, parcels, lots, portions of lots, and all other subdivisions of land.

Subdivision 12. The word "par", as used in this act, shall mean the amount of the total aggregate of the principal of the bonds.

Sec. 13. Section 3 of said "acquisition and improvement act of 1925" is hereby amended to read as follows:

Sec. 3. The legislative body initiating and conducting any proceeding under this act shall have power and authority, in addition to that elsewhere given, as follows, to wit:

(1) To appoint and employ, at any stage of the proceedings before calling for bids, any competent engineer, to be designated "engineer of work," for the purpose of doing and furnishing all the civil engineering work or services, surveying and all similar work and services necessary to the proper performance of the improvement. His compensation, or at least the rate thereof or some basis for computing the same, shall be fixed and stated in the order of his appointment, which said order shall be entered in the minutes of the legislative body; *provided, however*, that any county officer, if the proceeding is conducted by the legislative body of the county, and that any municipal officer, if the proceeding is conducted by the legislative body of a municipality, may be appointed such engineer of work without compensation.

(2) To appoint, in and as a part of the resolution of contention, any competent person, to be designated "superintendent of work," whose duty it shall be to perform the services prescribed or indicated for him in this act and to have the general actual supervision of the improvement constructed. His compensation shall be fixed at the time, and in the resolution of his appointment, at a per diem for all time actually devoted to the work; *provided*, that any county officer, in case the legislative body of a county is conducting the proceeding, and any municipal officer or board, in case the legislative body of a municipality is conducting the proceeding, may be appointed as such superintendent without compensation.

(3) To appoint and designate any competent person for the purpose of preparing and furnishing the specifications as set forth in section 4 of this act and to fix his compensation or some basis for computing the same, or to appoint and designate any officer of the county or officer of the municipality, as the case may be, for such purpose, without compensation.

(4) To appoint and employ, either prior or subsequent to the adoption of the resolution of intention, by an order to be entered upon its minutes, or in said resolution of intention, any competent attorney to prepare all or any portion of the proceedings, including resolutions, notices, orders, contracts, pleadings, judgments, court documents and any or all matters incident to the consummation of the contemplated improvement or acquisition, or both, and in the case of an acquisition to perform the services in this act prescribed or indicated in connection with the proposed acquisition, whose compensation, or at least the rate thereof or some basis for computing the same, shall be fixed and stated in the order of his appointment; *provided, however*, that if no appointment or employment of an attorney is made as above provided then the services to be performed by the attorney as prescribed or indicated in this act shall be performed by the city attorney, in cases where the proceedings are initiated and conducted by the legislative body of a municipality, and in cases where such proceedings are initiated and conducted by the legislative body of a county, by the district attorney of the county, except that in counties having freeholders' charters creating the office of county counsel they shall be performed by the county counsel.

(5) To appoint and designate other competent persons in the places respectively of the persons so originally appointed, with compensation (so far as practicable) proportionately the same as fixed for the original appointees, and to appoint such additional persons as may be needed to accomplish the thing or things to be done under this act, and to fix their compensation, which shall be a charge against the district.

No part of such or any compensation for said officers or employees so appointed or designated, or for services rendered by any of them, shall be a charge against the county or municipality or any officers thereof; *provided*, that the county, in proceedings conducted by its legislative body, and the municipality, in proceedings conducted by its legislative body, shall be liable for the expenses of the preparation and furnishing of specifications and of the posting and publication of resolutions and notices required to be posted and published in the event that proceedings cease or are abandoned before the award of the contract, or before a final judgment is obtained, but such expenses, for which the county and municipality respectively

are liable and which shall have been paid thereby, may be charged, as incidental expenses, against the district benefited in any new proceeding had or taken for an acquisition or improvement, or both, which shall include substantially the same thing or things to be done as those included in the abandoned proceedings. Whenever any county or municipal officer is appointed and designated to any of the positions or duties hereinabove mentioned without compensation, the actual and necessary expenses incurred under his supervision, including the compensation of other persons, made necessary by the duties of such positions, shall be a charge against the county or municipality appointing and designating him, but shall be repaid to such county or municipality as incidental expenses of the proceeding.

No member of the legislative body of any county or municipality shall be eligible to appointment to any office, position or employment under this act, except as a county or municipal officer without pay.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4 of the bill as originally printed, strike out all of line 46 after the comma following the word "California", and strike out the following portion of line 47: "and which are used for a public purpose,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 48, of the bill as originally printed, insert a comma after the word "county"; strike out the word "or", insert a comma after the word "municipality", and strike out the words "which are not used".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4 of the bill as originally printed, strike out all of line 49 and the following portion of line 50: "ing to any".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 5, of the bill as originally printed, insert the following after the word "any": "county, municipality,".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 40, of the bill as originally printed, insert the following after the word "any": "county, municipality,".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 8 of the bill as originally printed, strike out the comma in line 48, after "fornia", and insert in lieu thereof a period; strike out the remaining portion of line 48, all of lines 49 and 50, and the following portion of line 51: "used for a public purpose."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 10, line 12, of the bill as originally printed, insert the following after the word "any": "county, municipality,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 135—An act to add a new section to be numbered 7m to an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to a chief narcotic enforcement officer.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 61—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 719—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, April 21, 1909 and May 27, 1915.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "witch-hazel", insert the word "paregoric".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923 as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels.



providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 360—An act to amend the "California Water Storage District Act" approved June 3, 1921, as amended, by amending the title to said act, and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 34, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19a, and relating to the reapportionment of assessments in case of the subdivision of lands by adding nineteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q and 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators, to act as owners of title or evidence of title.

In the absence of the author, Senate Bill No. 360 was ordered passed on file.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 154—An act to amend section 221 of the Civil Code, relating to adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 154 refused passage by the following vote:

AYES—Senators Christian, Mueller, Rush, Sharkey, Taylor, West, and Young—7.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Wag, and Weller—31.

Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

On motion of Senator Jones, H. C., Senate Bill No. 579 was passed on file.

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets; to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the

violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

On motion of Senator Jones, H. C., Senate Bill No. 580 was passed on file.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 388 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, and Young—37.

NOES—Senators Fellom and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 361 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 364 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 384 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases.

Bill read third time.

The question being on the passage of the \*bill.

The roll was called, and Senate Bill No. 385 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, and Young—32.

NOES—Senators Christian, Hurley, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 506—An act to amend section 10½ of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds."

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 13, inclusive, of said title, and insert in lieu thereof the following:

An act to amend "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds" by amending sections 3, 6, 8, 10 and 10½ thereof.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the figures "10½", and insert in lieu thereof the word "one".

Amendment adopted.



## AMENDMENT NUMBER THREE.

On page 1, lines 14 to 17, of the printed bill, strike out all of said lines 14 to 17 inclusive; also strike out all of page 2, and insert in lieu thereof the following:

SECTION 1. Section 1 of said act is hereby amended to read as follows:

Section 1. Whenever the words "improvement act of 1911" are used herein they shall mean that certain act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessment for the cost thereof, and providing a method for the payment of such bonds.

SEC. 2. That section 3 of the "improvement act of 1911" be and the same is hereby amended to read as follows, to wit:

Sec. 3. Before ordering any work done or improvement made which is authorized by this act, the city council shall pass a resolution of intention to do so, referring to the street by its lawful or official name, or the name by which it is commonly known; when the work is not upon a public street or public way, then by briefly describing the property or right of way on which same is to be constructed, and briefly describing the work. The said resolution of intention shall be sufficient if it states in general terms the class or kinds of work contemplated, such as grading, paving, sewerage or other work or improvements, and gives in general the location of the proposed improvement and refers to plans, profiles, detailed drawings and specifications or such of them as may be suitable or proper for the full and detailed description of the said proposed work or improvement; *provided, however*, that if it is the intention of the council to have the said work or improvement constructed according to one of two or more plans or methods, or with one of two or more kinds of material or mixtures, the said resolution of intention shall refer in general terms, in addition to the matters hereinabove mentioned, to each of such alternative plans or methods, and each of such kinds of material or mixtures for the details thereof. Said resolution shall contain also a notice of the day, hour and place when and where any and all persons having any objections to the proposed work or improvement or any method of doing the same or any material or mixtures to be used therein may appear before the legislative body and show cause why said proposed improvement should not be carried out in accordance with said resolution; said time shall not be less than fifteen nor more than forty days from the date of the passage of said resolution. The city clerk shall cause said resolution of intention to be published twice in one or more daily newspapers published and circulated in said city: *provided*, if there be no daily newspaper, then the publication shall be made in one or more newspapers published and circulated therein less than six days a week, and said publication shall be had twice therein. If no newspaper be published in said city, then the publication shall be made twice in some newspaper published in the county in which said city is located. The city council may include in one proceeding, under one resolution of intention and in one contract, any of the different kinds of work mentioned in this act on any number of streets, properties and rights of way or portions thereof, contiguous or otherwise, and it may except therefrom any of said work already done. The lots and portions of lots fronting upon said excepted work already done shall not be included in the assessment for the class of work from which the exception is made.

The grade to which any work shall be done or improvement made shall be such as may be shown on the plans or profiles therefor or it may be done on such a grade as may have been formally established by the city council. If any official grade has already been adopted or established for any of the streets, avenues, or other places or property, proposed to be improved, it shall be lawful for the resolution of intention to provide that said work shall be done to new grades or grades different from those so established or adopted, and shall refer to plans, profiles or specifications for the description of the grade at which the work is to be done. Any property owner whose property is to be assessed to pay the costs and expenses of the proposed improvement may at the time fixed in the resolution of intention for hearing of objections to the proposed work and improvement, appear before the city council and make objection to the proposed grade or proposed modification of grade. A failure to make objection at such time shall be deemed to be a waiver of all objections to the proposed grade or proposed change or modification of grade and shall operate as a bar to any claim for damages or any subsequent action looking to the prevention of the work or the recovery of damages on account of the performance of the work to such grade or changed grade. The provisions of this section relative to grades are alternative and shall not repeal other provisions of this act or other statutes relative to change of grade.

SEC. 3. Section 6 of said act is hereby amended to read as follows:

Sec. 6. At any time not later than the hour set for hearing objections to the proposed work as provided in section 3 hereof, any owner of property liable to be assessed for said work may make written protest against the proposed work or

against the extent of the district to be assessed, or against any or all of the methods proposed for doing said work or improvement or any or all of the kinds of material or mixtures to be used therein, or against any of the matters or things herein enumerated. Such protest must be in writing and be delivered to the said clerk of the city council, and no other protests or objections shall be considered. At the time set for hearing protests the city council shall proceed to hear and pass upon all protests so made and its decision shall be final and conclusive, except as to protests concerning the plans or method or kinds of material or mixtures, one of which is to be used for doing said work, the final decision on which may be deferred until the awarding of the contract; *provided, however*, that when the protest is against the proposed work, and the cost thereof is to be assessed upon the property fronting thereon, and the city council finds that such protest is made by the owners of a majority of the property fronting on the proposed work, or when the protest is against the proposed work and the cost thereof is to be assessed upon the property within a district, and the city council finds that such protest is made by the owners of more than one-half of the area of the property to be assessed for said improvements, no further proceedings shall be taken for a period of six months from the date of the decision of the city council on said hearing, unless the said protests be overruled by an affirmative vote of four-fifths of the members of the city council. The words "proposed work" as used herein, shall mean and include all the work described in the resolution of intention. The city council may adjourn said hearings from time to time.

Sec. 4. Section 8 of said act is hereby amended to read as follows:

Sec. 8. Before passing any resolution for the construction of improvements, plans or specifications and careful estimates of the costs and expenses thereof, shall be furnished by the city engineer to the city council, if required by it, and in case bids are to be invited on alternative specifications, as herein provided, then the city engineer shall furnish to the city council, if they so require, a careful estimate of costs and expenses for the doing of said work in accordance with each of the specifications referred to in the resolution of intention and one of which is to be used for the work or improvement proposed to be done. For the work of constructing sewers, specifications shall always be furnished by the city engineer.

Sec. 5. Section 10 of said act is hereby amended to read as follows:

Sec. 10. Before the awarding of any contract by the city council for doing any work authorized by this act, the city council shall pass a resolution ordering the work; *provided, however*, that in the event that alternative plans, specifications, methods, materials or mixtures have been adopted in the resolution of intention the council, in the resolution ordering the work, need merely designate that the work shall be done in accordance with one of the specifications, or the plans, or the mixtures, or the materials specified in the resolution of intention, and that the determination by the council of the particular specification, or plan, or method, or material, or mixture which shall be used may be selected at the time of the awarding of the contract therefor. Notice, with specifications, shall be posted conspicuously for five days on or near the council chamber door of said council, inviting sealed proposals or bids for doing the work ordered. Notice inviting such proposals, and referring to the specifications posted or on file, shall be published twice in a daily, semiweekly, or weekly newspaper published and circulated in said city, designated by the council for that purpose, and in case there is no newspaper published in said city, then it shall only be posted as hereinbefore provided. The time fixed for the opening of bids shall be not less than ten days from the time of the first publication or posting of said notice. All proposals or bids offered shall be accompanied by a check payable to the city certified by a responsible bank, for an amount which shall not be less than ten per cent of the aggregate of the proposal, or by a bond for the said amount and so payable, signed by the bidder and two sureties, who shall justify, before any officer competent to administer an oath, in double the said amount, and over and above all statutory exemptions. Said proposals or bids shall be delivered to the clerk of the said city council, and said council shall, in open session publicly open, examine and declare the same; *provided, however*, that no proposal or bid shall be considered unless accompanied by said check or bond satisfactory to the council. The city council may reject any and all proposals or bids should it deem this for the public good, and also the bid of any party who has been delinquent or unfaithful in any former contract with the municipality, and shall reject all proposals or bids other than the lowest regular proposal or bid of any responsible bidder, and may award the contract for said work or improvement to the lowest responsible bidder at the prices named in his bid. If the bids are rejected or no bids are received the city council may within six months thereafter readvertise for proposals or bids for the performance of the work as in the first instance, without further proceedings, and thereafter proceed in the manner in this section provided, and shall thereupon return to the proper parties the respective checks and bonds corresponding to the bid so rejected. But the checks accompanying such accepted proposals or bids shall be held by the city clerk of said city until the contract for doing said work, as hereinafter provided, has been entered into, either by said lowest bidder or by the owners of three-fourths part of the frontage, whereupon said certified check shall be returned to said bidder. But if said bidder fails, neglects or refuses to enter into the contract

to perform said work or improvement, as hereinafter provided, then the certified check accompanying his bid and the amount therein mentioned, shall be declared to be forfeited to said city and shall be collected by it and paid into the general fund, and any bond forfeited may be prosecuted, and the amount due thereon collected and paid into said fund.

SEC. 6. Section 10½ of said act is hereby amended to read as follows:

Sec. 10½. The council shall have power, in its discretion, in the resolution of intention to declare its intention to do such work according to some one of two or more plans or methods or with some one of two or more kinds of material or mixtures and to adopt plans and specifications for the doing of such work according to such alternative plans or methods or with such alternative kinds of materials or mixtures. In the event the council shall so declare in its resolution of intention, then the council shall upon the hearing provided in section 3 hereof, determine that such class or classes or kind or kinds of work shall be so done, and invite proposals for the doing thereof according to such alternative method or plan or with such alternative kinds of materials or mixtures, and upon the opening of such proposals said council shall thereupon fix a time for hearing upon the proposals so received, notice of which shall be given by posting and publication for the same time and in the same manner as is provided for the notice inviting proposals, the first publication of which notice shall be at least ten days before the time of hearing so fixed. At such hearing any person interested shall have the right to appear and be heard upon the question as to which method or plan or material or mixture shall be adopted for the doing of such work and as to which proposal shall be accepted. The council may thereupon in its award of contract determine not only the bidder to whom the award shall be made, but also which one of such alternative methods or plans of doing such work shall be adopted, or which of such alternative materials or mixtures shall be adopted, for the doing of said work. It shall thereupon award the contract, if an award be made, to the lowest responsible bidder for the doing of said work according to such plan or method or material or mixture so adopted, and thereupon said work shall be done in accordance with the plan or method or material or mixture so adopted. No other method of procedure provided for in this act shall govern in regard to the doing of said work. The procedure provided for in this section shall be an alternative procedure to that provided in the other sections of this act, of which this section forms a part. If the council shall not exercise its discretion to call for proposals for the doing of said work according to the alternative method as herein provided for, or plan, or such alternative materials or mixtures, then this section shall not apply to any proceeding taken under this act. It is *provided further* that, notwithstanding any charter or other provisions of law requiring the award of contract to be made by a public board or officer, other than the council, nevertheless, in all cases where proceedings have been taken under this section the award of contract shall be by the council and said council shall not only determine the bidder to whom the award shall be made, but also the method or plan or materials or mixtures to be adopted for the doing of such work.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official plans and to appoint planning boards; describing the powers and duties of said planning boards; providing for the approval of plats; and providing that building permits shall conform to official plans.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered.

##### AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "official" insert the word "master".

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the word "boards" and insert in lieu thereof the word "commissions".

#### Amendment adopted.



## AMENDMENT NUMBER THREE.

In line 3 of the title of the printed bill, strike out the word "describing" and insert in lieu thereof the word "prescribing".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

In line 3 of the title of the printed bill, strike out the word "boards" and insert in lieu thereof the word "commissions".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

In line 4 of the title of the printed bill, strike out the semicolon after the word "plats" and strike out the following "and providing" and insert in lieu thereof the following: "and penalties for non-conformance thereto".

Amendment adopted.

## AMENDMENT NUMBER SIX.

In line 5 of the title of the printed bill, after the word "official" insert the word "master".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

In line 5 of the title of the printed bill, strike out the period after the word "plans" and insert in lieu thereof a comma and add the following: "for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 1, line 1, of the printed bill, after the period following the figure "1", strike out all of said line and all of lines 2 to 25 inclusive, page 1, and lines 1 to 52, inclusive, page 2, of the printed bill, and lines 1 to 52, inclusive, page 3, of the printed bill, and lines 1 to 50, inclusive, page 4, of the printed bill, and lines 1 to 15, inclusive, page 5, of the printed bill, and insert in lieu thereof the following: "Any city, county, or city and county, by ordinance of the legislative body which has the authority to lay out, adopt and establish streets, parks or playgrounds, may, as herein provided, establish an official master plan of the said city, county, or city and county, showing the streets, building setback lines, easements, public rights in land, parks and playgrounds theretofore laid out, adopted and established by law, and such plan is to be deemed to be final and conclusive with respect to the location and width of streets, or ways, plazas and open spaces and public easements, and the location of parks, playgrounds and public rights in lands shown thereon. Such official master plan is hereby declared to be established to conserve and promote the public health, safety, and general welfare. Said ordinance shall make it the duty of some appropriate official or employee of said city, county, or city and county, at once to file for record with the recorder of the county in which the area covered by said plan is situated a certificate showing that the city, county, or city and county, has established an official master plan.

SEC. 2. Such legislative body of each city, county, or city and county, is hereby authorized and empowered to create by ordinance a planning commission to consist of six members to be appointed by the chief executive officer of the city, county or city and county, with the approval of the legislative body thereof, and ex officio of the said chief executive officer, the chief engineer and the attorney or counsel of said legislative body. Of the members of the commission first appointed, one shall hold office for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, one for the term of five years, and one for the term of six years, from and after his appointment, and their successors shall be appointed for the term of six years from and after the expiration of the terms of their predecessors in office. The terms of ex officio members shall correspond to their respective official tenures. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of the term as in the first instance. In any city, county, or city and county, in which there is a planning commission created in accordance with law, the ordinance, instead of providing for the appointment of a new planning commission, may provide that the existing commission shall continue, the members thereof thereafter to be appointed in accordance with the provisions of this act, with the powers and duties as specified for a planning commission appointed as provided in this act, in addition to the powers and duties they may already possess. All members of the commission shall serve as such without compensation, and, when duly authorized by

the commission, may attend city planning conferences or meetings of city planning institutes or hearings upon pending city planning legislation, and the commission may, by resolution spread upon its minutes, pay the reasonable traveling expenses incident to such attendance.

SEC. 3. The commission shall elect its chairman from among the appointed members for a term of one year and, subject to other provisions of law, may create and fill such other offices as it may determine. The commission shall hold at least one regular meeting in each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. The commission may appoint such officers and employees as it may deem necessary for its work, whose appointment, promotion, demotion, and removal shall be subject to the same provisions of law as govern other corresponding civil employees. The commission may also contract with architects, city planners, engineers, and other consultants for such services as it may require. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for that purpose by the legislative body, which shall provide the funds, equipment, and accommodations necessary for the commission's work. Each city, county and city and county which has established a planning commission, may, in making its annual tax levy and as a part thereof, levy and collect a tax, not to exceed in any fiscal year the sum of two mills on the dollar of assessed valuation, for the purpose of defraying the lawful expenses incurred by the planning commission in carrying out the purposes of this act, and/or may make appropriations from other funds therefor.

SEC. 4. It shall be the function and duty of the planning commission to make and adopt a master plan for the physical development of the municipality, or county, and of any land outside its boundaries which, in the commission's judgment, bears relation to the planning thereof. Such plan, with the accompanying maps, plats, charts, and descriptive matter, shall show the commission's recommendations for the development of said territory, including among other things the general location, character, and extent of streets, waterways, waterfronts, playgrounds, plazas, squares and open spaces, parks, aviation fields, and other public ways and grounds, the general location of public buildings and other public property; and the general location and extent of public utilities and terminals, whether publicly or privately owned or operated; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, grounds, open spaces, buildings, property, terminals, or utilities; or other matters authorized by law. The commission may from time to time adopt and publish a part of the plan covering one or more major sections or divisions of the territory under its jurisdiction or one or more of the aforesaid or other subjects-matter. The commission may from time to time amend, extend or add to the master plan.

SEC. 5. In the preparation of such plan, the commission shall make careful and comprehensive surveys and studies of present conditions and future growth of the municipality, or county, and with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the municipality, or county, and its environs, which will, in accordance with present and future needs, best promote the amenities of life, health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, distribution of population, good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements, the improvement and control of architecture and general embellishment of the area under its jurisdiction.

SEC. 6. Before adopting the master plan or any part of it or any substantial amendment thereof the commission shall hold at least one public hearing thereon, notice of the time of which shall be given by one publication in a newspaper of general circulation in the municipality or county or in the official gazette of the municipality or county. The adoption of the plan or part or amendment thereof shall be by resolution of the commission, carried by the affirmative votes of not less than six members of the commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the commission to form the whole or part of the plan or amendment, and the action taken shall be recorded on the map and plan and descriptive matter by the identifying signature of the secretary of the commission. An attested copy of the master plan shall be certified to the legislative body.

SEC. 7. Upon receipt of an attested copy of the master plan, or of any part thereof, as adopted by the planning commission, a public hearing thereon shall be held by the legislative body. At least ten days' notice of such public hearing shall be published in an official publication of said city, county, or city and county, or in a newspaper of general circulation therein. No change or addition to said master plan, or any part of it as adopted by the planning commission, shall be made by the legislative body until the said proposed change or addition shall have been referred to the planning commission for report thereon and an attested copy of said report thereon filed with the legislative body by the planning commission; but the failure of the

commission to so report within thirty days from and after the date of the request for said report by the legislative body shall be deemed to be approval of said additions or changes by the commission; *provided*, that if said additions or changes be disapproved by the commission a two-thirds vote of the entire membership of the legislative body shall be necessary to pass any ordinance overruling such disapproval by the commission.

SEC. 8. Whenever the legislative body shall have adopted the master plan of the city, city and county, or county, or of any major section or district thereof, no street, square, park, or other public way, ground, or open space, or public building or structure, or public utility whether publicly or privately owned, shall be constructed or authorized in the area shown on said master plan until the location, character, and extent thereof shall have been submitted to and approved by the planning commission. In case of disapproval thereof the commission shall communicate its reasons to the legislative body, which shall have the power to overrule such disapproval by a recorded vote of not less than two-thirds of its entire membership; *provided, however*, that if the authorization or financing of the public way, ground, space, building, structure or utility be one whose construction, financing or authorization does not, under the law or charter provisions governing same, fall within the province of the legislative body, then the submission to the planning commission shall be by the board, commission or body having such jurisdiction, and the planning commission's disapproval may be overruled by said board, commission or body by a vote of not less than two-thirds of its membership. The failure of the commission to act within sixty days from and after the date of official submission to the commission shall be deemed approval.

SEC. 9. The commission shall have power to promote public interest in and understanding of the master plan, and to that end may publish and distribute copies of the plan, or of any part thereof, or of any report and may employ such other means of publicity and education as it may determine. The commission shall, from time to time, recommend the appropriate public officials programs for specific improvements and for the financing thereof. It shall be part of its duties to consult and advise with public officials and agencies, public utility companies, civic, education, professional and other organizations, and with citizens with relation to the carrying out of the plan. The commission shall have the right to accept and use gifts for the exercise of its functions. All public officials shall upon request furnish to the commission, within a reasonable time, such information as it may require for its work. The commission, its members, officers, and employees, in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general, the commission shall have such powers as may be necessary to enable it to fulfill its functions and carry out the purposes of this act.

SEC. 10. Such legislative body is authorized and empowered, whenever and as often as it may deem it to be for the public interest, to change or add to the official master plan so as to lay out new streets, improvements or conveniences mentioned in this act, or to widen, enlarge, close or abandon such existing streets, improvements or conveniences. At least ten days' notice of a public hearing on any proposed action with reference to such change in the official master plan shall be published in an official publication of said city, county, or city and county, or in a newspaper of general circulation therein. Before making such addition or change, the matter shall be referred to the planning commission for report thereon, as provided in section 7 hereof. Such additions and changes, when adopted by ordinance by the legislative body shall become a part of the official master plan of the city, county, or city and county, and shall be deemed to be final and conclusive with respect to all matters shown thereon. The layout, widening, enlarging, closing, or abandoning of streets, plazas and upon spaces, parks or playgrounds by the city, county, or city and county, under provisions of law other than those contained in this act shall be deemed to be a change or addition to the official master plan, and shall be subject to all the provisions of this act.

SEC. 11. The body creating such planning board may, by general or special rule, provide for the reference of any other matter or class of matters to the planning board before final action thereon by the public body or officer of said city, county, or city and county, having final authority thereon, with the provision that final action thereon shall not be taken until said planning commission has submitted its report thereon or has had reasonable time, to be fixed in said rule, to submit the report. The planning commission shall have full power and authority to make such investigations, maps and reports, and recommendations in connection therewith relating to the planning and development of the city, county, or city and county, as to it seems desirable, providing the total expenditures of said board shall not exceed the funds available therefor.

SEC. 12. This act shall be known as "The Planning Act". For the purpose of this act certain terms are defined as provided in this section. Wherever appropriate the singular includes the plural and the plural includes the singular. The term "street" includes streets, highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and rights of way, and other ways. The term "subdivisions" means the division of a tract or parcel of land into lots for the purpose, whether immediate or future, of sale or



of building development, including any plat or plan which includes the creation of any part of one or more streets, public easements, or other rights of way, whether public or private, for access to or from such lots, and or including the creation of new or enlarged parks, playgrounds, plazas or open spaces.

Sec. 13. The territorial jurisdiction of any municipal planning commission over the subdivision or platting of land shall include all land located in the municipality and all land lying within three miles of the corporate limits of the municipality and not located in any other municipality: except that in the case of any such non-municipal land lying within three miles of more than one municipality having a planning commission, the jurisdiction of each such municipality shall terminate at a boundary line equidistant from the respective corporate limits of such municipalities; and, *provided further*, that the approval of the planning commission, of the county or city and county, if there be one, shall also be necessary, on all plats in areas outside the corporate limits of any municipality, except that where said county planning commission fails to agree with a city planning commission having jurisdiction over any plat, the legislative body of the county, by a two-thirds vote of its entire membership, may overrule the findings of either commission and approve said plat as recommended by the other commission.

Sec. 15. Before exercising the powers referred to in section 14, the planning commission shall adopt general regulations governing the subdivision of land within its jurisdiction, to provide for the proper arrangement of streets in relation to other existing and planned streets and to the master plan, to provide for adequate and convenient open spaces, for traffic, utilities, access of fire-fighting apparatus, recreation, light and air, and for the avoidance of congestion of population, and easements for building setback lines, or for public utility lines. Such regulations may include requirements as to the minimum width, and area of building lots, and as to the extent to which streets and other public ways shall be graded and improved, and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of the plat. All such regulations shall be published as provided by law, and before adoption, a public hearing shall be held thereon. A copy thereof shall be filed for record by the commission with the recorders of the counties in which the commission and territory are located, and certified to the legislative body.

Sec. 16. The planning commission shall approve or disapprove a plat within thirty (30) days after the submission thereof to it; otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the commission on demand; *provided, however*, that the applicant for the commission's approval may waive this requirement and consent to an extension of such period. The ground of disapproval of any plat shall be stated upon the records of the commission. Any plat submitted to the commission shall contain the name and address of a person to whom notice of a hearing shall be sent; and no plat shall be acted on by the commission without affording a hearing thereon. Notice shall be sent to the said address by registered mail of the time and place of such hearing not less than five days before the date fixed therefor. Public notice of all such hearings shall also be given. Every plat approved by the commission may, without further hearing, be adopted by the commission as an amendment of or addition to the master plan.

Sec. 17. Before the approval by the planning commission, or legislative body, of a plat, such plat shall also, in proper cases, show a park or parks and/or a playground or playgrounds suitably located for playground or other recreation purposes, and of reasonable size for the purposes for which they are provided. In making such determination regarding streets, parks and playgrounds, the planning commission shall take into consideration the prospective character of development of the area included in the plat and of the surrounding territory. The owner of the land or his agent who files the plat may add, as a part of the plat, a notation, if he so desires, to the effect that no offer of dedication of such streets, parks or playgrounds, or any of them, is made to the public; and may show by dotted line on said plat dedication of easements for building set-back lines, or for the use of public utility lines. The planning commission, or legislative body, may require that a deed to the fee for streets, or other areas offered for dedication to the public on said plat, be delivered to the city or county, as the case may be, where the same are located, at the time of filing of said plat.

Sec. 18. Whoever, being the owner or agent of the owner of any land located within the territory of a subdivision subject to the approval of a planning commission and or legislative body, transfers or sells, or agrees to sell, or negotiates to sell, any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by said planning commission and or legislative body and recorded or filed as so approved in the office of the appropriate county recorder, shall forfeit and pay a penalty of one hundred dollars for each lot or parcel so transferred or sold, or agreed or negotiated to be sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The city, county, or city and

county, may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction, or may recover the said penalty by a civil action in any court of competent jurisdiction.

SEC. 19. A county recorder who receives for filing or records a plat of a subdivision without the approval of the planning commission as required by law, shall be deemed guilty of a misdemeanor and shall be fined not less than one hundred dollars nor more than five hundred dollars.

SEC. 20. The city, county, or city and county shall not accept, lay out, open, improve, grade, pave, curb, or light any street, or lay or authorize water mains or sewers or connections to be laid in any street or right of way, within any portion of territory for which the planning commission shall have adopted a major traffic street plan, unless such street (a) shall have been accepted or opened as or shall otherwise have received the legal status of a public street prior to the adoption of such plan; or unless such street (b) corresponds with a street shown on the official master plan, or with a street on a subdivision plat approved by the planning commission, or with a street on a street map made by and officially adopted by the commission. The legislative body may, however, accept any street not shown on or not corresponding with a street on the official master plan or on an approved subdivision plat or an approved street map, provided the ordinance or other measure accepting such street be first submitted to the planning commission for its approval and, if approved by this commission, be enacted or passed by not less than a majority of the entire membership of the legislative body, or if disapproved by the commission, be enacted or passed by not less than two-thirds of the entire membership of the legislative body. A street approved by the planning commission upon submission by legislative body, or a street accepted by a two-thirds vote after disapproval by the planning commission, shall thereupon have the status of an approved street as fully as though it had been originally shown on the official master plan or on a subdivision plat approved by the commission or had been originally mapped by the commission.

SEC. 21. From and after the time when a planning commission shall have adopted a major street plan of the territory within its subdivision jurisdiction or part thereof, then no building shall be erected on any lot within such territory or part, nor shall a building permit be issued therefor unless the street giving access to the lot upon which such building is proposed to be placed (a) shall have been accepted or opened as or shall otherwise have received the legal status of a public street prior to that time, or unless such street (b) corresponds with a street shown on the official master plan or with a street on a subdivision plat approved by the planning commission or with a street on a street map made by and adopted by the commission or with a street accepted by the legislative body, after submission to the planning commission, by the favorable vote required in section 20 of this act. Any building erected in violation of this section shall be deemed an unlawful structure and the building inspector or other appropriate official may cause it to be vacated and have it removed.

SEC. 22. From and after the adoption of a major traffic street plan by any planning commission, the jurisdiction of the planning commission over plats shall be exclusive within the territory under its jurisdiction, except as provided in section 13 hereof, and all statutory control over plats or subdivisions of land granted by other statutes shall in so far as in harmony with the provisions of this act be deemed transferred to such planning commission, and in so far as inconsistent with the provisions of this act are hereby repealed.

SEC. 23. The planning commission is empowered, after it has adopted any part of a master plan for any part of the territory within its platting jurisdiction to make, or cause to be made, from time to time, surveys for the exact location of the lines of a street or streets shown in any portion of such master plan and make a map of the land thus surveyed, more precisely showing the land which it recommends be reserved for future acquisition for public streets. The planning commission, before adopting any such map, shall hold a public hearing thereon, notice of the time and place of which, with a general description of the district or area covered by the map, shall be given not less than ten days previous to the time fixed therefor by one publication in a newspaper of general circulation in the municipality, if the district or area be within the municipality, or of general circulation in the county, if the district or area be outside of the municipality. After such hearing, the commission may transmit the map, as originally made or modified as may be determined by the commission, to the legislative body, together with the commission's estimate of the time—or times within which the lands, shown on the map as street locations, should be acquired by the municipality, or county, as the case may be. Thereupon, by resolution, the legislative body may approve and adopt or may reject such map, or may modify it with the approval of the planning commission, or in the event of the planning commission's disapproval, the legislative body may by a favorable vote of not less than two-thirds of its entire membership, modify such map and adopt the modified map. In the resolution of adoption of a map, the legislative body shall fix the period of time for which the street locations shown upon the map shall be deemed reserved for future taking or acquisition for

public use. Upon such adoption the clerk of the legislative body shall file for record one attested copy of the map with the county recorder of each county in which the mapped land is located and retain one copy for the purpose of public examination. Such approval and adoption of a map shall not, however, be deemed the opening or establishment of any street, nor the taking of any land for street purposes nor for public use, nor as a public improvement, but solely as a reservation of the street locations shown thereon, for the period specified in the legislative body's resolution, for future taking or acquisition for public use. The commission may, at any time, negotiate for or secure from the owner or owners of any such lands, releases of claims for damages or compensation for such reservations or agreements indemnifying the municipality or county from such claims by others, which releases or agreements shall be binding upon the owner or owners executing the same and their successors in title. At any time after the filing of a map for record with the county recorder and during the period specified for the reservation, the planning commission and the owner of any land containing a reserved street location, may agree upon a modification of the location of the lines of the proposed street, such agreement to include a release by said owner of any claim for compensation or damages by reason of such modification; and thereupon the commission may make a map corresponding to the said modification and transmit same to the legislative body; and if such modified map be approved by the legislative body the clerk of the legislative body shall file for record an attested copy thereof with the said county recorder or recorders and said modified map shall take the place of the original map. At any time the legislative body may, by resolution, abandon any reservation and shall file for record any such abandonment with the said county recorder or recorders.

SEC. 24. The resolution of the legislative body adopting any street map as provided in section 23, shall provide that it shall not become effective for thirty days, and shall further provide that it shall not become effective until subsequent to the publication once a week for four successive weeks in a newspaper of general circulation published in said county, city and county or city, of a notice of the adoption of said resolution. Said resolution and said notice shall also state a time within which the owners of property lying within or immediately adjoining the lines of the proposed future street opening or widening, or between any future street line, and the nearest public highway, may protest in writing against the adoption of said future street lines.

Upon the receipt of any protests within the time fixed in said resolution and said notice the said legislative body may cause the same to be examined by its engineer or engineers and by its attorney or attorneys, and shall set a time for the hearing of the same, notice of which hearing shall be given to such protestant at his address which shall be stated in the protest.

Upon the hearing of any protest the said legislative body may grant or deny the same except that the said legislative body shall not deny the written protests of the owners of a majority of the property lying within any proposed street to be opened, or a majority of the frontage of a street to be widened upon which a future street line is established, except by a four-fifths vote of such legislative body.

Whenever any resolution as herein provided shall have become filed for record with the appropriate county recorder it shall be the duty of the clerk of the legislative body to cause to be recorded in the office of the county recorder of the appropriate county, a notice referring to the said resolution by number and other appropriate description including the date of its adoption and setting forth a description of the property contained within the said proposed opening and widening, or opening or widening lines, or between said future street lines and the nearest public highway, together with a copy of the map showing any such line or lines.

If any owner of property lying within any lines for the proposed opening and widening, or opening or widening of any street, or between any such future street line and the nearest public highway, shall claim that the adoption of any such resolution or ordinance, or the refusal to issue to him a building permit or prohibition of building or construction by him, shall constitute a taking of his property by the said county, or city and county, or city rather than a regulation of the use thereof by the said county, or city and county, or city under its police power, said owner shall have the right, within three months after actual notice of the adoption of said resolution or within three months after the recording in the office of the appropriate county recorder of the notice hereinabove provided for, to file a protest against the alleged taking of his property and demand that the county, city and county, or city adopting such resolution either vacate the same as to the property of such owner or compensate him therefor, or commence the condemnation thereof within three months from the time of the filing of his written protest and claim. In the event that the said county, city and county, or city shall fail, within three months after the receipt of any such written protest and demand, to either vacate such resolution as to the property of said protesting owner or compensate him therefor or commence proceedings for the condemnation thereof, then such resolution shall automatically be vacated and annulled as to the property of such protesting owner.



SEC. 25. No compensation other than the compensation awarded in the final report of the board of appraisers, appointed by the legislative body, shall at any time be paid to or recovered by any person for the taking of or injury to any building, structure, or other improvement built, within the period fixed in the resolution of the legislative body, upon any land included within the street locations specified on any such plat or map adopted as herein provided.

SEC. 26. Any planning commission or any one hundred citizens, by signed petition, may apply to the governor of the state for the establishment of a region for planning purposes and the appointment of a regional planning commission for such region. The governor shall hold at least one public hearing upon any such application or petition, the time and place of which he shall officially proclaim. If the governor finds that, by reason of urban growth and development not corresponding to existing city corporate limits or by reason of other developments or trends in the growth and distribution of population, commerce and industry or by reason of topographic or other conditions, two or more separate cities, or one or more cities, city and county or counties and neighboring nonmunicipal territories, whether within one or more counties have overlapping and interrelated or common problems of such nature as not to be capable of intelligent, economical and adequate solution by means of the separate planning of each separate political unit and require, for such solution, a general plan of the physical development of the entire area of such municipalities or territories as a whole and that, consequently, it is to the public interest that a region be established for planning purposes he shall grant the application and shall define the boundaries of such region and appoint a regional planning commission. Such commission shall consist of nine persons. Members shall be appointed for six years except that the respective terms of seven of the members first appointed shall be one year, two years, two years, three years, four years, four years and five years; *provided, however*, that if at the time of his appointment, the appointee is a public officer or in the public service of the state or any of its political subdivisions, and his incumbency as such public officer or servant expires previous to the term for which he is appointed on the regional planning commission, then his term on the commission shall terminate with the expiration of his incumbency as such public officer or servant, unless it be extended by the governor, in which case such extension shall be for the remainder of the term for which he was originally appointed. The members shall serve without compensation, but shall be paid their necessary expenses incurred in the performance of their duties. They may, after a public hearing, be removed by the governor for inefficiency, neglect of duty, or malfeasance in office, and he shall file a written statement of his reasons therefor. Vacancies shall be filled by the governor for the unexpired term.

SEC. 27. Except as otherwise provided in this act, the provisions of this act relative to organization, rules, staff, finances, procedure and miscellaneous powers and duties of municipal planning commissions shall, so far as applicable, apply to regional planning commissions. The amount which a regional planning commission may expend in any year shall be such as may be determined by said regional planning commission, subject to approval by the governor, who shall fix the proportion of such expenditure to be borne by the respective municipalities, counties and other taxing districts and political subdivisions within the region. The appropriating legislative body of each such taxing district or political subdivision within the region are hereby authorized to appropriate their respective shares of such expenditures. The sums so appropriated shall be paid into the state treasury and shall be paid out on certificate of the regional planning commission.

SEC. 28. Any regional planning commission is hereby authorized and empowered to make, adopt, amend, extend and add to a master or regional plan for the physical development of its region. Such plan shall be based on comprehensive studies of the present and future development of the region, with due regard to its relation to neighboring regions and the state as a whole and to neighboring states. Such plan, including maps, charts, diagrams and descriptive matter, shall show the commission's recommendations for the physical development of the region, and may include among other things the general location, extent and character of streets, parks, and other public ways, grounds and open spaces, public buildings, and properties and public utilities (whether publicly or privately owned or operated) which affect the development of the region as a whole or which affect more than one political subdivision of the state within the region; also, the general location of forests, agricultural and open development areas for purposes of conservation, food and water supply, sanitary and drainage facilities or the protection of future urban development; also a zoning plan for the control of the height and area, or bulk, location and use of buildings and premises, and of the density of population. Such master plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the region and of public improvements and utilities which do not begin and terminate within the boundaries of any single municipality or which do not relate exclusively to the development of any single municipality, and which will, in accordance with the present and future needs of the region and the state, best promote health, safety, morals, order, convenience, prosperity, the amenities of life and general welfare, as well as efficiency and economy in the process of development.

SEC. 29. The regional planning commission, after adopting the regional plan, shall certify a copy thereof to the Governor, to each planning commission within the region, to the council of each municipality not having a planning commission, to the county commissioners of each county wholly or partly included in the region, and to other organized taxing districts or political subdivisions wholly or partly included in the region.

SEC. 30. Such plan may be adopted by any planning commission within the region to which it is certified by the regional planning commission. Such adoption shall be in accordance with the procedure specified in this act for the adoption of plans by planning commissions. When thus adopted, it shall thereupon have the force and effect within such municipality, or county as the case may be, as is provided in this act for plans made and adopted by planning commissions, and shall be deemed as original master plan or an amendment of or addition to the master plan. Before adopting any amendment of the master plan which would constitute a violation of or departure from the regional plan certified to the planning commission by the regional planning commission, the planning commission shall submit such proposed amendment to the regional planning commission, which latter commission shall certify to the planning commission its approval, disapproval or other opinion concerning the proposed amendment.

SEC. 31. After the adoption of the regional plan by the regional planning commission, no street, park or other public way, ground or open space, no public building or other public structure, and no public utility whether publicly or privately owned or operated, shall be constructed or authorized in nonmunicipal territory within the region until the location, character and extent thereof shall have been submitted to and approved by the regional planning commission of the region. This prohibition shall not be interpreted as requiring the approval by the regional planning commission of any subdivision falling within the subdivision jurisdiction of a municipal planning commission, as defined in sections 12 and 13 of this act, and duly approved by such municipal planning commission as provided in section 15 of this act. In case of disapproval by such commission, such disapproval may be overruled by the board, commission, body or officer in which or in whom the power to finally determine such location, character and extent is reposed by law, by a vote, in the case of any such board, commission or body, of not less than two-thirds of its membership. A statement of its or his reasons for any such overruling shall be spread upon the minutes or records of the board, commission, body or officer.

SEC. 32. Chapter 428 of the statutes of 1915 as amended and chapter 735 of the statutes of 1917 and all other acts, or parts of acts in conflict herewith are hereby repealed.

SEC. 33. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed each provision of this act irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases, or provisions be declared unconstitutional.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

Senate Bill No. 389—An act to amend sections 1006 and 1011 of the Penal Code, relating to demurrers in criminal cases and effect of overruling thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 398—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 403—An act to amend section 809 of the Penal Code, relating to the filing of informations in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 405—An act to add a new section to the Penal Code, to be numbered 681a, relating to trials in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489 and 490, of the Penal Code, and to add a new section to the Penal Code, to be numbered 490a, defining the crime of theft and prescribing punishment therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 415—An act to amend section 165 of the Penal Code, relating to bribery of public officials.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 383—An act to amend sections 1070, 1089 and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 411—An act to amend section 969 of the Penal Code, relating to pleading of prior convictions in indictments or informations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 397—An act to repeal sections 941 and 942 of the Penal Code, relating to grand juries.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 396—An act to amend section 951 of the Penal Code, relating to the form of indictment or information in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 393—An act to amend section 959 of the Penal Code, relating to the sufficiency of indictments, informations, and complaints.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 392—An act to amend section 960 of the Penal Code, relating to the sufficiency of indictment, information, or complaint in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 390—An act to amend section 995 of the Penal Code and to add a new section to the Penal Code, to be numbered 995a, relating to indictments and informations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 395—An act to amend section 952 of the Penal Code, relating to pleadings and form of indictment or information.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "popular" and in lieu thereof insert the words "ordinary and concise".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing of transcripts of testimony and delivery of copy thereof to defendant.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out the words "five days" and insert in lieu thereof the words "ten days".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 15 and 16, of the printed bill, strike out the words "herein provided for".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, after the words "with said county clerk" add the following: "within the time herein provided for".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of subdivision seventh (beginning line 26) and in lieu thereof insert the following:

Seventh. If said transcript is filed within the time hereinbefore provided for, the reporter shall be entitled to receive the compensation fixed and allowed by law.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, immediately preceding the word "other" insert the word "six".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after the words "salary of" insert the words "eight thousand".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, after the words "salary of" insert the words "four thousand".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 29, of the printed bill, immediately preceding the word "dollars" insert the words "seventy-five thousand".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 470—An act to amend section 1734*b* of the Political Code, relating to schools.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the words "four *b*" and insert in lieu thereof the words: "four *c*".

Amendment adopted.

AMENDMENT NUMBER TWO.

Beginning with line 1, page 1, of the printed bill, strike out all the matter on pages 1 and 2 and insert in lieu thereof the following:

SECTION 1. Section 1734*c* of the Political Code is hereby amended to read as follows:

1734*c*. Except as otherwise provided by law, the boundaries of a high school district shall be changed only between the first day of October and the tenth day of February in any year.

When two-thirds of the heads of families residing in any elementary school district which is a part of any high school district and the nearest part of which is more than six miles by traveled road from the high school building of said high school district, as shown by the affidavit of one or more of the petitioners, shall present to the county superintendent of schools having jurisdiction over such high school district, a petition asking that such elementary school district be excluded from such high school district and annexed to a contiguous high school district, accompanied by an agreement signed by the high school board of the high school district to which annexation is sought, agreeing to such annexation; such superintendent of schools shall, after verification of the signatures thereto and finding them sufficient, transmit such petition and agreement with or without his recommendation thereon, to the board of supervisors of the county in which such elementary school district is situated.

If, by the exclusion of the elementary school district, the assessed valuation of the property of the high school district would be less than five million dollars, except, in case of the exclusion of an elementary school district which is not contiguous to the other districts comprising the high school district, or if by the exclusion of the elementary school district the outstanding bonded indebtedness of the district would exceed five per cent of the value of the taxable property remaining in the district, said board of supervisors shall refuse to call an election for the purpose of determining whether said elementary school district shall be excluded. Otherwise, said board of supervisors may, in its discretion, within thirty days after receipt of the petition and agreement, call an election in the district so petitioning, and shall appoint three qualified electors of the district to conduct the election. Said election shall be held at the public schoolhouse of the district petitioning and shall be called by posting notice at least fifteen days before the election in three public places in the district, one of which shall be at the public schoolhouse, if there be such in the district; said board shall also publish the notice once a week for two weeks in a newspaper published in the district, or, if there be none such, in a newspaper in general circulation in the district.

Said election shall be conducted by officers appointed for that purpose in the manner provided by law for conducting school elections; the ballots at such election shall contain the words "For exclusion from-----high school district and annexation to-----high school district"; the name of the high school district from which exclusion is sought and the name of the high school district to which annexation is desired must be printed on the ballot, whereon the elector shall stamp or make a cross after the word "yes" or the word "no," also printed on said ballot.

It shall be the duty of said election officers to canvass the vote of said election and report the result to the said board of supervisors within five days subsequent to the holding of said election.

If two-thirds of the votes cast at such election shall be in favor of such exclusion and annexation, said board of supervisors shall, within fifteen days after receiving such notice, notify the high school board of the high school district of the result of such election, and if said high school board does not protest the exclusion of such district from the high school district, within thirty days after receiving notice, the board of supervisors shall exclude said territory from said high school district and annex it to the contiguous high school district, as provided in said election; however, should the high school board of said high school district protest such exclusion and annexation, the board of supervisors shall notify the superintendent of public instruction of the election and its result, and of the protest of the high school board, whereupon the superintendent of public instruction shall create a board of review com-

posed of three county superintendents of schools of counties not contiguous to the county or counties in which is located the high school district from which the elementary school desires separation.

Said board of review shall, upon a date set by the superintendent of public instruction, survey the situation and conduct a public hearing on the question as to whether or not the elementary school district shall be excluded from the local high school district and annexed to a contiguous high school district. Said hearing shall be held at the high school building of the high school district to which the territory desiring exclusion at the time belongs; and said hearing shall be conducted under such rules of procedure as may be prescribed by such board of review, which may, in its discretion, require any or all evidence and information to be submitted under oath administered by a member of the board.

The superintendent of public instruction shall notify the county superintendents concerned and said county superintendents shall notify the interested high and elementary school boards, of the date of the inspection and the date and place of the public hearing, and shall give publicity to said meeting by printing an announcement of the same in a newspaper published in the high school district, or, if there be none such, in a newspaper in general circulation in said district.

In arriving at its conclusion, the board of review shall take into consideration the present and future effect on public welfare only, and said board shall, before it adjourns, recommend in writing to the board of supervisors either that the petition of the elementary school district be granted, or, if it so decrees, that it shall be denied.

The board of supervisors must, within fifteen days thereafter, act in accordance with the recommendations contained therein, entering upon its minutes an order excluding the territory of said elementary school district from the high school district and annexing it to the contiguous high school district, if such be the recommendation of the board of review; or an order denying exclusion and annexation of said elementary school district, if such be the recommendation of the board of review.

A certified copy of the order of the board of supervisors shall be entered by its clerk in his record of high school districts, and he shall also send copies thereof to the county clerks of each county in which any part of such elementary school district or high school district is situated; and they shall also enter it in their records of high school districts; *provided, however*, that the district so withdrawing shall not be released from responsibility for any of the bonded indebtedness incurred while it was a part of the high school district from which it has withdrawn.

Superintendents of schools are hereby authorized and required by law to perform the duties prescribed herein. The high school board of any high school district wherein the superintendent of public instruction has ordered a review of the petition of an elementary school district to be excluded from said high school district and annexed to a contiguous high school district, is hereby authorized and required to pay the actual and necessary traveling expenses of the members of the board of review, provided for in this section.

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent 2.

FELLOM, Chairman.

Senate Bill No. 90 ordered on file for second reading.



## SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the word "an" and insert in lieu thereof the word "the".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, strike out the word "any" and insert in lieu thereof the words "The August."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, strike out the word "to", strike out lines 4, 5, 6 and 7, and the words "the August primary election" in line 8, and insert in lieu thereof "thereto."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3, line 11, of the printed bill, strike out the words "intending to affiliate" and insert in lieu thereof the word "affiliated."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 4, lines 49 and 50, of the printed bill, strike out the words "and at least forty-five days before a primary election other than the August primary."

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 5 of the printed bill, strike out all of line 14 after the word "election"; strike out lines 15, 16 and 17, and strike out the word "election" in line 18.

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 5, line 47, of the printed bill, strike out the word "thereof."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 6, line 30, of the printed bill, strike out the comma and insert a period

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 6, line 31, of the printed bill, strike out the words "and such" and insert in lieu thereof the word "all."

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 7, after line 14, of the printed bill, insert "Examined and certified by me this----- day of ----- 19--."

-----  
Registrar of Voters—County Clerk."

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 7, line 32, of the printed bill, after the word "declarations" insert the words "of candidates."

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 7, line 36, of the printed bill, after the comma, insert "state senators and assemblymen."

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 7, line 39, of the printed bill, strike out the word "any" and insert in lieu thereof the word "the."

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 8, line 33, of the printed bill, strike out the comma.

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 8, line 43, of the printed bill, strike out the word "political" and insert in lieu thereof the word "political."

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 8, of the printed bill, strike out all of line 44, after the word "that," and strike out line 45, and in line 46 strike out "tion to any office on the ballots" and in lieu thereof insert "one whose name has appeared upon the ballot as a candidate."

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 9, line 23, of the printed bill, strike out the figures "1924" and insert in lieu thereof the figures "1926."

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 11, of the printed bill, strike out the word "judicial" in line 9 and the words "office or a school" in line 10, and insert in lieu thereof the word "non-partisan."

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 11, line 10, of the printed bill, strike out the words "or principle."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 11, line 13, of the printed bill, strike out the words "judicial office or a school" and insert in lieu thereof the word "nonpartisan."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 12, line 2, of the printed bill, strike out the word "no" and insert in lieu thereof the word "his."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 12, lines 2 and 3, of the printed bill, strike out the words "so withdrawn shall" and insert in lieu thereof the words "shall not."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 4, of the printed bill, after the word "election" insert "as a candidate for such office."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 29, of the printed bill, strike out the words "according to" and insert in lieu thereof the words "by reason of."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 12, line 30, of the printed bill, before the word "that" insert "the name of."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 12, of the printed bill, strike out all of line 31 after the word "election;" strike out lines 32 and 33 and in line 34 strike out "of said section 23", and insert in lieu thereof the words "the next highest number of votes."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, lines 39 and 40, of the printed bill, strike out the words "a declaration certificate has been filed for any candidate to be voted for at" and insert in lieu thereof the words "anyone has declared or accepted a candidacy for."

Amendment adopted.

AMENDMENTS FROM THE FLOOR.

AMENDMENT NUMBER ONE.

On page 7, lines 39 and 40, of the printed bill, strike out "state senators and assemblymen."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 51, of the printed bill, strike out "at cost."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 8, lines 1, 2 and 3, of the printed bill, strike out all after the word "county", in line 1.

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 12, line 43, of the printed bill, after the word "of" insert the following: "Subdivision I of".

Amendment adopted.



## AMENDMENT NUMBER FIVE.

On page 12, line 45, of the printed bill, strike out the period and insert, "and a vacancy authorized to be filled by the provisions of subdivision II of this section shall be filed with the officer with whom a nomination paper for such office may be filed at least thirty-five days before the day of election."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

## ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1927

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 982—An act to amend section 1699 of the Code of Civil Procedure, relating to jurisdiction of estate after final distribution;

Also: Assembly Bill No. 983—An act to amend section 1668 of the Code of Civil Procedure, relating to decree to be made after notice;

Also: Assembly Bill No. 984—An act to amend section 1373 of the Code of Civil Procedure, relating to setting day for hearing petition for letters of administration and for notice of application therefor;

Also: Assembly Bill No. 985—An act to amend section 1465a of the Code of Civil Procedure, relating to notice of hearing petition and to whom sent;

Also: Assembly Bill No. 986—An act to amend section 1552 of the Code of Civil Procedure, relating to return of proceedings and notice of hearing of return of proceedings after sale of real estate.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 982, 983, 984, and 985 read first time, and referred to Committee on Judiciary.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 4th, passed Assembly Bill No. 460—An act to amend sections 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289 and 1290 of the Code of Civil Procedure, and to add four new sections to said code to be numbered 1280, 1291, 1292 and 1293, relating to arbitration and awards.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 460 read first time, and referred to Committee on Judiciary.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 6—An act to amend sections 751, 752, 752a, 752b, 753, 754, 755, 757, 760, 761, 762, 763, 764, 765, 766, 767, 769, 772, 773, 774, 776, 777, 778, 786, 788, 789, 790, 791, 797, 798, 806, 807, 808, 813, 851, 852, 852a, 852b, 853, 854, 855, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 874, 875, 876, 878, 879, 880, 881, 882, 883, 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities of the fifth and sixth classes:

Also: Assembly Bill No. 169—An act to revise an act entitled "An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks for the use of pupils of such schools," approved May 18, 1917.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 6 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 169 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 666—An act to amend section 12 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended, relating to the revocation of licenses;

Also: Assembly Bill No. 5—An act to amend section 2713 of the Political Code, relating to construction and repairs of bridges;

Also: Assembly Bill No. 422—An act to amend section 1469 of the Code of Civil Procedure, relating to the administration of estate not exceeding two thousand five hundred dollars in value;

Also: Assembly Bill No. 981—An act to amend section 1723 of the Code of Civil Procedure, relating to establishment of the fact of death;

Also: Assembly No. 980—An act to amend section 1724 of the Code of Civil Procedure, relating to the establishment of identity of heirs.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 666 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 5 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 422, 981 and 980 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 444—An act to amend section 653a of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to the publication of ordinances, legal notices or other proceedings;

Also: Assembly Bill No. 478—An act to amend section 764 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, and to add a new section to said act, to be numbered section 752c, relating to powers of boards of trustees.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 444 and 478 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 991—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of moneys of estate pending settlement;

Also: Assembly Bill No. 647—An act to amend section 384 of the Penal Code, relating to the prevention and control of fires;

Also: Assembly Bill No. 505—An act to amend sections 5 and 6 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895;

Also: Assembly Bill No. 507—An act to amend sections 4 and 7 of an act entitled "An act to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the constitution of this state, for the municipal taxes of such cities, and for the equalization and correction of such assessment by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the nonpayment of such taxes, and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the

services performed by such county officers for such cities under the provisions of this act," approved June 6, 1913.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 991 and 647 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 505 and 507 read first time, and referred to Committee on Municipal Corporations.

#### REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

#### ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 11, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 209—An act to add a new section to be known as section 77a to the "Public Utilities Act," approved April 23, 1915—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to Committee on Public Utilities.

Committee membership 11; committee vote: Ayes -10; absent -1.

WAGY, Chairman.

Senate Bill No. 209 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 209—An act to add a new section to be known as section 77a to the "Public Utilities Act," approved April 23, 1915.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered.

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 4 to 25, both inclusive; also, on page 2, strike out lines 1 to 14, both inclusive, and insert in lieu thereof the following:

Sec. 77a. (a) Any expenditure for political purposes by a person or company as herein defined operating a public utility as herein defined, is hereby declared to be unlawful; and the persons who are responsible for or participate in such expenditure shall be jointly and severally liable for twice the amount of such expenditures, to be recovered as hereinafter prescribed.

(b) If such expenditure be made on behalf of a company as the same is defined herein, then in such case the president of such corporation shall be liable therefor in addition to the liability prescribed in subdivision (a) of this section.

(c) If such expenditure be made on behalf of an individual said individual shall be liable therefor in addition to the liability prescribed in subdivision (a) of this section.

(d) If such expenditure be made on behalf of a firm or a copartnership, then each member of such firm or such copartnership shall be jointly and severally liable therefor in addition to the liability prescribed in subdivision (a) of this section.

(e) The liability defined and declared in subdivisions a, b, c and d of this section may be enforced in any court of competent jurisdiction by the person or persons first filing complaint and information of such illegal expenditure with the railroad commission, and such recovery when had shall be payable one-half thereof to the person or persons first filing such complaint and information and one-half for the benefit of the State of California.

(f) A political purpose, in the purview of this section shall mean:

(1) Assisting or opposing the election or recall of a candidate for public office.

(2) Assisting or opposing the voting of bonds by the state or any political subdivision thereof or by any public agency.

(3) Assisting or opposing the adoption or enactment of any constitutional amendment, or of any legislative measure proposed by initiative, or any legislative measure upon which a referendum has been taken.

(4) Circulating a petition for an initiative or for a referendum.

(5) Circulating a petition for the recall of a public officer or for the nomination of a person for public office or the securing of signatures to any such petition.



(g) *Provided, however*, that any person or company operating a public utility may expend such sums for the purposes mentioned in paragraph (3) and (4) of subdivision (f) hereof as may be authorized in writing by the railroad commission when such person or corporation shall have filed with said railroad commission for public record not less than thirty days before such measure is to be voted upon, a statement under oath stating in detail the reasons for the proposed expenditure of such money and a detailed statement of how said money is to be expended. In the event that the expenditure is to be made by a corporation such affidavits shall be made by the president or vice president or the secretary thereof; if by an individual, then such affidavit shall be made by himself and if by a firm or copartnership by one of the members thereof; *and provided, further*, that all expenditures so made must be reported in detail after such election and all money not so authorized to be spent and so reported in detail shall be conclusively presumed to have been spent for a political purpose prohibited by this section.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Utilities.

#### ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, March 15, 1927.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Tuesday, March 15, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—40.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 14, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Chas P. Squires of Las Vegas, Nevada; Mr. C. L. McForlone of Riverside, California, and Mr. William T. Jerome of Orange, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. T. E. Pickerill of Placentia, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. H. La Force of San Francisco, California, business agent of the Steam Shovelmen's Union.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Stary Gange of Lindsay, California.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Margo Evans of Pomona, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Thomas C. Jordan, Mr. A. A. Devoto, Mr. William Bliss and Mr. F. E. Dickey of Fairfax, Marin County.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Hilliard Welch, grand president of the Grand Parlor, Native Sons of the Golden West; Mr. John Regan, grand secretary, Attorney Donald Geary and Sheriff E. Douglas Bills.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge J. R. Welch of San Jose.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. C. E. Whitmore, Mr. George H. Presnell and Mr. Earl Presnell of Modesto, California.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925;

Also: Senate Bill No. 686—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states;

Also: Senate Bill No. 321—An act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of California to the extent that the cost of such services shall be provided for by the Congress of the United States through federal appropriations;

Also: Senate Bill No. 141—An act to add two new sections to the Political Code to be numbered 2261 and 2262, relating to establishment of kindergarten service for the blind and for vocational training in schools for the blind;

Also: Senate Bill No. 228—An act to amend section 4143 of the Political Code, relating to duties of the coroner;

Also: Senate Bill No. 124—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties

for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 258—An act to add a new section, to be numbered section 63½, to the Public Utilities Act, approved April 23, 1915, as amended, relating to increase in rates;

Also: Senate Bill No. 210—An act to amend section 29 of the "Public Utilities Act," approved April 23, 1915;

Also: Senate Bill No. 845—An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto;

Also: Senate Bill No. 297—An act to amend sections 7 and 9 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended;

Also: Senate Bill No. 135—An act to add a new section to be numbered 7m to an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to a chief narcotic enforcement officer;

Also: Senate Bill No. 415—An act to amend section 165 of the Penal Code, relating to bribery of public officials;

Also: Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489, and 490 of the Penal Code, and to add a new section to the Penal Code, to be numbered 490a, defining the crime of theft and prescribing punishment therefor;

Also: Senate Bill No. 405—An act to add a new section to the Penal Code, to be numbered 681a, relating to trials in criminal cases;

Also: Senate Bill No. 403—An act to amend section 809 of the Penal Code, relating to the filing of informations in criminal cases;

Also: Senate Bill No. 398—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant;

Also: Senate Bill No. 389—An act to amend sections 1006 and 1011 of the Penal Code, relating to demurrers in criminal cases and effect of overruling thereof;

Also: Senate Bill No. 390—An act to amend section 995 of the Penal Code and to add a new section to the Penal Code, to be numbered 995a, relating to indictments and informations;

Also: Senate Bill No. 392—An act to amend section 960 of the Penal Code, relating to the sufficiency of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 393—An act to amend section 959 of the Penal Code, relating to the sufficiency of indictments, informations, and complaints;

Also: Senate Bill No. 396—An act to amend section 951 of the Penal Code, relating to the form of indictment or information in criminal cases;

Also: Senate Bill No. 397—An act to repeal sections 941 and 942 of the Penal Code, relating to grand juries;

Also: Senate Bill No. 411—An act to amend section 969 of the Penal Code, relating to pleading of prior convictions in indictments or informations;

Also: Senate Bill No. 383—An act to amend sections 1070, 1089 and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases;

Also: Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases;

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 143—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

46—51897—S.J



## AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, after the word "paid" strike out all down to and including the word "immediately" on line 23 of the printed bill and insert in lieu thereof the following:

The provisions of this subsection relating to the office of deputy clerk do not increase the compensation of a county officer and shall take effect ninety-one days after the final adjournment of the 1927 session of the Legislature.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 3, line 4, of the printed bill, after the word "paid" begin a new sentence to read as follows:

The provisions of this subsection relating to the two additional deputies of the assessor do not increase the compensation of a county officer and shall take effect ninety-one days after the final adjournment of the 1927 session of the Legislature.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 3, line 15, of the printed bill, after the word "aid" begin a new sentence to read as follows:

The provisions of this subsection relating to the appointment of one clerk by the district attorney do not increase the compensation of a county officer and shall take effect ninety-one days after the final adjournment of the 1927 session of the Legislature.

Amendment adopted.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 164—An act to add a new section, to be numbered section 22a, to the "Juvenile Court Law," approved June 5, 1915, as amended, relating to maintenance of public schools in detention homes.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 251—An act to amend section 4279 of the Political Code, relating to salaries of officers of counties of the fiftieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 658—An act to amend section 19r44 of the "Juvenile Court Law," approved June 5, 1915, relating to the salary of probation officers in counties of the forty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1033—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library.

Bill read second time, and ordered on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

On motion of Senator Jones, H. C., Senate Bill No. 579 was passed on file.

Senate Bill No. 360—An act to amend the "California Water Storage District Act," approved June 3, 1921, as amended, by amending the title to said act and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 34, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19a, and relating to the reapportionment of assessments in case of the subdivision of lands by adding nineteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q, and 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators, to act as owners of title or evidence of title.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 360 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Handy, Hollister, Hurley, Ingram,

Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

On motion of Senator Jones, H. C., Senate Bill No. 580 was passed on file.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

On motion of Senator Baker, Senate Bill No. 387 was passed on file.

Senate Bill No. 515—An act to amend sections 18 and 35 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 515 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 128—An act to add a new section to be known as section 22½ to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts



of acts inconsistent herewith," approved May 28, 1917, as amended, relating to boundary lines of fish and game districts.

On motion of Senator Kline, Senate Bill No. 128 was passed on file.

Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 612 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 106—An act to amend section 627*b* of the Penal Code, relating to the shipment of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 106 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 462—An act to amend sections 5, 6 and 7 of an act entitled "An act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911, as amended; and adding a new section thereto to be known as section 11½.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 462 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Waggy, and Young—30.

NOES—None.

#### TITLE AMENDED.

Senator Young moved to amend the title of Senate Bill No. 462 by adding thereto the following:

## AMENDMENT NUMBER ONE.

In the seventh line of the title of the printed bill, after the word "one-half", strike out the period, and insert in lieu thereof the following: ", relating to domestically raised fish."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, re-engrossment, and transmitted to the Assembly.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

On motion of Senator Baker, Senate Bill No. 610 was passed on file.

Senate Bill No. 352—An act to amend section 365c of the Political Code, relating to powers of the State Highway Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 352 passed by the following vote:

AYES—Senators Allen, J. M., Allen N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

On motion of Senator Kline, Senate Bill No. 615 was passed on file.

Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation protection and reclamation district; subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the

irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district." approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit: Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to deputies to assessor and collector; section 15b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27a, relating to time for completion of assessment roll and time for equalizing assessments; section 27b, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28a, relating to levy of taxes by boards of supervisors; section 28b, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28d, relating to collection of unsecured taxes; section 28e, relating to addition of unpaid water tolls and charges to taxes; section 28f, relating to assessment lien; section 28g, relating to change of assessments and refund of erroneous taxes; section 28h, relating to notice that assessments are due and collection and delinquency of taxes; section 28i, relating to suit against delinquents to collect taxes; section 28j, relating to duty of collector on sale for delinquent taxes; section 28k, relating to sale for delinquent taxes; section 28l, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28m, relating to certificates of sale; section 28n, relating to record book of property sold for taxes and interest on redemption; section 28o, relating to redemption of property and collector's deed; section 28p, relating to delinquent taxes and deed on dissolution of district; section 28q, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28r, relating to assessment roll or delinquent list as prima facie evidence; section 28s, relating to misnomers; section 28t, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28u,



relating to settlements between secretary and collector; section 29a, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act.

On motion of Senator Kline, Senate Bill No. 110 was passed on file.

### SENATE CONSTITUTIONAL AMENDMENT No. 3.

A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section, to be numbered 14½, to article XIII of said constitution, relating to the taxation of foreign insurance corporations.

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California at its forty-seventh regular session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby propose to the people of the State of California that a new section be added to article XIII of the constitution of this state to be numbered section 14½ and to read as follows:

**Sec. 14½.** Every company carrying on the business of insurance against loss or injury by fire upon property in this state, not organized or incorporated under the laws of California, and every such fire insurance company whose charter may be owned, or a majority of whose stock may be controlled, or whose business may be carried on in the interest, or for the benefit of any insurance company or association not organized or incorporated under the laws of California, shall annually pay to the state, in addition to the taxes already mentioned in section 14, a privilege tax of two per cent of the amount of the gross premiums received upon its business done in the state, less return premiums, and less reinsurance in companies or associations authorized to do business in this state, which rate may not be changed by the Legislature.

The receipts from this tax shall be distributed to counties, cities and counties, cities, fire districts, and incorporated towns of the state maintaining fire departments with equipment of the value of two thousand dollars or over, having a board of fire commissioners or a board of trustees of the firemen's pension fund, in proportion to the population, as shown by the preceding United States decennial census, said counties, cities and counties, cities, fire districts, and incorporated towns to receive a sum in the same proportion to the total amount to be distributed as the population of the respective counties, cities and counties, cities, fire districts, and incorporated towns shall bear to the aggregate or total population of all bodies in the State entitled to such funds.

Such receipts shall constitute a fund to be administered under the exclusive control of the board of fire commissioners, or of the board of trustees of the firemen's pension fund, and shall be used for the payment of pensions, retirement allowances, or relief to firemen retired from service or disabled in service, or to the dependents of firemen retired, disabled, or killed in service, or for the purpose of securing accident compensation insurance for firemen not employed on full time and for members of unpaid fire companies.

The term of disbursement shall be as fixed by the board of supervisors or other local governing body, or by charter provisions. An adequate accounting shall be rendered annually by the trustees of the fund to the board of supervisors or other local governing body, and to the state board of equalization, of the receipts, disbursements, and beneficiaries of the fund.

In case a board of fire commissioners does not exist, such board of trustees of the firemen's pension fund shall be constituted as provided for by the local governing body or by local charter provision.

All the provisions of this section shall be self-executing and the Legislature shall pass all laws necessary to carry this section into effect and shall prescribe the duties of the state board of equalization and any other officers in connection with the administration thereof. The taxes herein provided for shall become a lien upon the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross premiums herein mentioned shall be computed for the year ending the thirty-first day of December prior to the levy of such taxes. Nothing in this constitution contained, except as in this section provided, shall be a limitation upon the provisions of this section.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 3 adopted by the following vote:

AYES—Senators Allen, J. M., Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—31.

NOES—Senators Allen, N. M., Breed, Chamberlin, Jones, Ray; Nelson, and Weller—6.

Title read and approved.

Senate Constitutional Amendment No. 3 ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and eighteen minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 34—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 34 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Weller, West, and Young—30.

NOES—Senator Tubbs—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CHAMBERLIN IN THE CHAIR.

At eleven o'clock and twenty-two minutes a.m., Senator Chamberlin of the Thirty-first District was called to the chair.

Senate Bill No. 720—An act to amend section 1 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to deposit of moneys in banks.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 720 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 338 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 341 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 151—An act to add a new section to the Political Code to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 151 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363½, providing for the supervision of ports by the Department of Public Works.

On motion of Senator Nelson, Senate Bill No. 823 was passed on file.

Senate Bill No. 102—An act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

On motion of Senator Nelson, Senate Bill No. 102 was passed on file.

Senate Bill No. 162—An act concerning aeronautics and to make uniform the law with reference thereto.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 162 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 172—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 172 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 533—An act to amend an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, by adding two new sections numbered 2a and 2b.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 533 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 534—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 534 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 581—An act to add a new section to the Code of Civil Procedure to be numbered 1983, relating to the burden of proof in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 581 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 601—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties, and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 601 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 682—An act to repeal section 598 of the Civil Code, relating to the sale of real property, and granting of easements by religious corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 682 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Waggy, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 685—An act to repeal chapter III of title X of part IV, division III of the Civil Code, and to add a new chapter III of part IV, division III, in place thereof, all relating to limited partnerships, and to make the law relating to limited partnerships uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 685 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Mueller, Murphy, Rush, Slater, Taylor, Tubbs, Waggy, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 686—An act to repeal chapter I and articles I to VI, inclusive, of chapter II of title X of part IV, division III, of Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X, of part V, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 686 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wag, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

On motion of Senator McKinley, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 321—An act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of California to the extent that the cost of such services shall be provided for by the Congress of the United States through federal appropriations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 321 passed by the following vote.

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wag, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 141—An act to add two new sections to the Political Code to be numbered 2261 and 2262, relating to establishment of kindergarten service for the blind and for vocational training in schools for the blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 141 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Tubbs, Wag, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 228—An act to amend section 4143 of the Political Code, relating to duties of the coroner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 228 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Gray, Hardy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Rush, Slater, Taylor, Tubbs, Waggy, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 193—An act to provide an institution for the confinement, cure, care, and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

(Signed out)

CROWLEY, Chairman.

ALLEN, N. M.

MURPHY.

GRAY.

CANEPA.

JONES, RAY.

BOGGS.

Assembly Bill No. 193 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 309—An act to amend section 2 of an act entitled "An act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

CROWLEY, Chairman.

Senate Bill No. 309 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 175—An act to amend sections 2, 3, 4, powers and duties of the board, 11 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 20, 1905, as amended March 21, 1907, April 21, 1909, and May 27, 1915;

Also: Senate Bill No. 833—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code, and all other acts or portions of acts in conflict with this act;

Also: Senate Bill No. 99—An act prescribing the term upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bills Nos. 175, 833 and 99 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Concurrent Resolution No. 20—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a commission to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, ordered to print, and re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Concurrent Resolution No. 20 ordered re-referred to Committee on Finance.

#### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 233—An act to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and, for that purpose, to construct or acquire spreading basins, sinking wells and sinking basins and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of common benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of waters therefrom; to provide for the levying and collecting of taxes and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of the district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bill No. 233 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 796—An act authorizing the State Board of Forestry to receive in the name of the State of California gifts or donations of lands for forest and watershed purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bill No. 796 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 913—An act to amend section 4 of an act entitled "An act to create a fund to be known as the United States forest reserve fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of the expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to apportionment of unapportioned funds—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Education.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bill No. 913 ordered re-referred to Committee on Education.



## ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 50—An act to add a new section to the Political Code, to be numbered 2320, declaring the cultivated black currant (*Ribes nigrum*), a public nuisance, and providing for its eradication; and providing a penalty for the violation of the provisions of this act;

Also: Assembly Bill No. 666—An act to amend section 12 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended, relating to the revocation of licenses;

Also: Assembly Bill No. 926—An act to amend sections 5 and 18 of the "California Warehouse Act," approved June 3, 1921, as amended;

Also: Assembly Bill No. 1061—An act to amend section 14 of the "California Grain Standardization Act," approved June 3, 1921, as amended, relating to the disposition of moneys and to the abolition of the "grain standardization fund";

Also: Assembly Bill No. 1062—An act to amend section 17 of "The California Economic Poison Act of 1921," approved June 3, 1921, relating to disposition of fees.

Also: Assembly Bill No. 1063—An act to amend section 9 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and providing penalties for the infraction thereof, and means for enforcement of the act," approved March 20, 1903, as amended, relating to the disposition of fees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

BOGGS, Chairman.

Assembly Bills Nos. 50, 666, 926, 1061, 1062 and 1063 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, providing penalties and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—12; absent—3.

BOGGS, Chairman.

Senate Bill No. 807 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 521—An act to amend section 9 of and to add a new section to be numbered 4m to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, relating to the licensing of dealers in seeds;

Also: Senate Bill No. 639—An act to amend sections 2, 3, 4, 6 and 7 of an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

BOGGS, Chairman.

Senate Bills Nos. 521 and 639 ordered on file for second reading.

## ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 342—An act requiring certain reports to be made concerning children with

impaired hearing—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bill No. 342 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and/or other timber products by persons who by their own labor, and/or by using their live stock, machinery and/or appliances, assist in felling, preparing, and/or transporting logs and/or in manufacturing lumber and/or other timber products from such logs, providing for means by which the owner of such logs and/or products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act:

Also: Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bills Nos. 83 and 831 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 267—An act to amend section 3052 of the Civil Code providing for the sale of property by a lien holder, notice of sale and disposition of the proceeds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bill No. 267 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 573—An act to amend sections 224, 226, and 227 of, and to add a new section to be numbered 224m, to the Civil Code, relating to adoption:

Also: Senate Bill No. 598—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they be amended, and re-referred to committee.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bills Nos. 573 and 598 ordered on file for second reading.

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 709—An act to amend section 77 of the "California Vehicle Act" relating to registration fees—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be amended, and re-referred to committee.

Committee membership—15; committee vote: Ayes—14; absent—1.

KLINE, Chairman.

Senate Bill No. 709 ordered on file for second reading.

## ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 281—An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended and to add a new section thereto to be known as section 8h—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be amended, and re-referred to committee.

Committee membership—11; committee vote: Ayes—9; absent—2.

CROWLEY, Chairman.

Senate Bill No. 281 ordered on file for second reading.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 873—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No. 908—An act to amend section 1687 of the Political Code relating to the salaries of teachers;

Also: Assembly Bill No. 939—An act to amend section 4048 of the Political Code, relating to bids and prices on county supplies, printing and advertising;

Also: Assembly Bill No. 942—An act to add a new section to the Political Code, to be numbered 4082, relating to lost or destroyed county warrants.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 873 and 908 read first time, and referred to Committee on Education.

Assembly Bills Nos. 939 and 942 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 165—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions;

Also: Assembly Bill No. 209—An act to amend section 2322, 11 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the eleventh class;

Also: Assembly Bill No. 242—An act to add a new section to the Political Code to be numbered 1266a, relating to the establishment of election return centers and the reporting of certain election returns;

Also: Assembly Bill No. 260—An act to amend section 1608 of the Political Code, relating to the sale of the personal property belonging to school districts;

Also: Assembly Bill No. 835—An act to amend "An act to provide that certain graduates of normal schools and teachers colleges shall be required to qualify to give elementary instruction in agricultural subjects," approved June 3, 1921;

Also: Assembly Bill No. 858—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No. 860—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 165 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 209 read first time, and referred to Committee on County Government.

Assembly Bill No. 242 read first time, and referred to Committee on Elections.



Assembly Bills Nos. 260, 835, 858 and 860 read first time, and referred to Committee on Education.

ADJOURNMENT.

At one o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, March 16, 1927.

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IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, March 16, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 15, 1927, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Kenneth Watson of San Francisco, California.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. James D. Hahn and Mr. Arthur H. Breed, Jr., of Piedmont, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. J. R. Bearwald of San Francisco, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Joseph Wasserburger of Los Angeles, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Thomas Fox of Sacramento, former postmaster of the city of Sacramento.

On request of Senator Taylor, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Herbert Taylor Scott and Mrs. Lisle McKim of Sacramento.

On request of Senator Nelson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Arthur Connick of Eureka, California.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Wesley Barr of the Evening Herald of Los Angeles, California, and Mr. L. J. Burrud of Hollywood, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Richard J. Welch, wife of Congressman Richard Welch, of San Francisco.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the students of the Alhambra Union High School, Martinez, California, as follows: Mr. W. T. Van Voris, Mr. Neil Parsons, John Adams, Eddie Arthur, Carol Beede, John Belshaw, Cortland Blair, Enes Bonavera, Katherine Boyd, Dorothee Bowden, Alice Brackman, Annie Costa, Elmo Crow, Richie Delevati, Mae DiBetta, Helen Dietle, Helen Flemming, Guillo Grifanti, Doris Hittman, Bernice Kapp, Hanna John, Irwin Keefe, Mary Kelly, Elizabeth King, Arthur Kirk, Marion McKenzie, Ross McKenzie, Mary McNamara, Winnie Meese, William Milliff, Mabel Nicholson, Rose Nulty, Virginia Olson, Beryl Parton, Inez Ray, Muriel Reid, Clarinda Rice, Guy Richards, Louise Rock, Meredith Rock, Helen Sweetser, Harry Swift, Frances Tarantino, Jack Thompson, Jains Van Thiel, Mildred Vickers, Francis Molin, Bill Noltz, and Reber Miller.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the pupils of Elk Grove Grammar School, as follows: Bertha Bender, Jack Bitzer, Inez Cadjew, Harold Carlisle, Hilda Carlisle, Marguerite Doty, Benjamin Feickert, Phyllis Fiddymont, Walter Fiddymont, Mary Foulks, George Foulks, Agnes Grenz, Lydia Grenz, June Grover, Donald Hanson, Henrietta Hanson, Lucy Hulett, Marvin Jones, Howard Kerby, Hugh Kiino, Marvin Landon, Carma Latson, Fern Leimbach, Eleanor Markofer, May Mitchell, Laurence Phinney, Patricia McElree, Roida Pia, Mabel Riggs, Minnie Robards, Lloyd Robbins, Gladys Robbins, Jack Takahashi, Thomas Tanabe, William Tansen, Margaret Taverner, John Ulman, Norman Warren, Louise Waterman, Jack Woerner, and Elizabeth Yudiseak, accompanied by the following teachers: David M. Hand, principal; Anna Kirchgater, Joan Jardine, and Ione Boyd.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Arthur E. T. Chapman of Los Angeles, California.

#### REMARKS BY SENATOR INMAN.

Senator Inman notified the Senate of the illness of Mrs. Buron R. Pitts and moved, duly seconded by Senators Breed, Crowley and Maloney, that the Senate extend to her the sympathy of this body and wish her a speedy recovery.

Motion unanimously carried by a rising vote of the Senate.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

WOMAN'S CLUB OF INDIO,  
INDIO, CALIFORNIA, March 14, 1927.

*Honorable C. M. Kline, Sacramento, California.*

DEAR SIR: At the last regular meeting of the Woman's Club of Indio, after discussing the need for change in our Criminal Code, the following resolution was unanimously adopted:

*Resolved*, That our secretary be instructed to write to our representatives at Sacramento to use their influence and vote for any and all laws for the improvement of criminal procedure in our State; all laws providing simple indictments, quick trials and swift justice.

We would respectfully ask that you give this matter your consideration.

Respectfully,

WOMAN'S CLUB OF INDIO.  
MRS. H. W. SMILEY, Corresponding Secretary.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 844—An act to add a new section to the Political Code to be numbered section 2643, relating to powers and duties of supervisors respecting roads—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SILARKEY, Chairman.  
HANDY.  
JONES, RAY.  
TAYLOR.  
WAGY.  
BOGGS.  
CROWLEY.  
ALLEN, J. M.  
HURLEY.

Senate Bill No. 844 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or counties or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes, and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements—has had the same under consideration, and



respectfully reports the same back, and recommends that the amendments be adopted, and that it be re-referred to committee.

(Signed out)

SHARKEY, Chairman.  
HANDY.  
TAYLOR.  
BOGGS.  
WAGY.  
JONES, RAY.  
CROWLEY.  
ALLEN, J. M.

### Senate Bill No. 510 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 849—An act to amend an act entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto to be numbered section 26 to provide for the dissolution of such levee districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

RUSH, Chairman.

### Senate Bill No. 849 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 838—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

RUSH, Chairman.

### Senate Bill No. 838 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 259—An act to add a new section to the Political Code, to be numbered 629b, relating to group life insurance;

Also: Senate Bill No. 703—An act to amend section 453bb of the Civil Code, and to add a new section thereto, to be numbered 453hh, relating to mortgage insurance;

Also: Senate Bill No. 395—An act to amend section 952 of the Penal Code, relating to pleadings and form of indictment or information;

Also: Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties;

Also: Senate Bill No. 719—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a

penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, April 21, 1909, and May 27, 1915;  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 488—An act to repeal section 321 of the Civil Code of the State of California, relating to books of banks which shall be open to inspection—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

HANDY, Chairman.

Senate Bill No. 488 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 485—An act to add a new section to the Civil Code of the State of California, to be numbered 2290, relating to rights of banks purchasing other banking institutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

HANDY, Chairman.

Senate Bill No. 485 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 489—An act to add a new section to the Civil Code, to be numbered section 3265f, relating to actions for paying checks after payment has been stopped—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

HANDY, Chairman.

Senate Bill No. 489 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 487—An act to add a new section to the Civil Code, to be numbered section 3321, relating to the measure of damages by the payment of a check which has been ordered stopped—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

HANDY, Chairman.

Senate Bill No. 487 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 486—An act to add a new section to the Civil Code, to be numbered section 3265g, relating to the stopping of payment of checks—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

HANDY, Chairman.

Senate Bill No. 486 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 642—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 20, 31, 65, 80, 83 and 105, and by adding new sections thereto to be numbered sections 31c and 31d, all relating to the definition and regulation of the business of banking—has had the same under consideration, and respect-

fully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

HANDY, Chairman.

Senate Bill No. 642 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury:

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 4 of article VI thereof, relating to jurisdiction of, and divisions of supreme and appellate courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

BAKER, Chairman.

Senate Constitutional Amendments Nos. 9 and 12 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers;

Also: Senate Bill No. 378—An act to amend section 1156 of the Penal Code, relating to special verdict in criminal cases;

Also: Senate Bill No. 379—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases;

Also: Senate Bill No. 380—An act to amend section 1123 of the Penal Code, relating to alternate jurors;

Also: Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them;

Also: Senate Bill No. 376—An act to amend section 1180 of the Penal Code, relating to the effect of an order granting a new trial in criminal cases;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

BAKER, Chairman.

Senate Bills Nos. 82, 378, 379, 380, 381 and 376 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 27—An act to amend section 647 of the Penal Code, defining and punishing the crime of vagrancy;

Also: Senate Bill No. 410—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered 1256, and to repeal sections 1247, 1247a, 1247b, 1247c, and 1247d, of the Penal Code, relating to appeals in criminal cases;

Also: Senate Bill No. 375—An act to amend section 1181 of the Penal Code, relating to the grounds upon which new trials may be granted and providing for modification of verdicts in criminal cases;

Also: Senate Bill No. 404—An act to add a new section to the Penal Code to be numbered 681b, relating to punishment for criminal offenses;

Also: Senate Bill No. 402—An act to amend section 825 of the Penal Code, relating to the time within which a defendant must be taken before a magistrate;

Also: Senate Bill No. 401—An act to amend section 859 of the Penal Code, relating to the postponement of preliminary examinations for purpose of obtaining counsel;

Also: Senate Bill No. 391—An act to add a new section to the Penal Code, to be numbered 969a, relating to pleading prior convictions in indictments or informations and providing for the filing of supplemental information charging prior conviction which may have been omitted in original indictment or information;



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—49; committee vote: Ayes—5; absent—4.

BAKER, Chairman.

Senate Bills Nos. 27, 410, 375, 404, 402, 401 and 391 ordered on file for second reading.

#### RESOLUTIONS.

The following resolutions were offered:

By Senator Crowley:

*Resolved*, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the pay roll of the Senate:

Mrs. Hazel Lindley, Stenographer -----\$5 00 per day.

Resolution read, and on motion of Senator Crowley adopted.

Also:

*Resolved*, That the following named person be and she is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite her name, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Agnes Auhagen, Stenographer -----\$5 00 per day.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen J. M., Baker, Boggs, Breed, Canepa, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Slater, Taylor, Tubbs, Wag, and Weller—25.

NOES—None.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Senator Evans:

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act creating the Angeles Forest Game Preserve in the counties of Los Angeles and San Bernardino in the State of California, providing for the prevention of the destruction of wild game within the boundaries thereof and providing penalties therefor.

Request referred to Committee on Rules.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 309—An act to amend section 2 of an act entitled "An act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913, as amended.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out all of section 2 and add in lieu thereof:

SEC. 2. Every bunkhouse, tent or other sleeping place used for the purpose of a lodging or sleeping apartment in such camp, shall contain sufficient air space to insure an adequate supply of fresh air for each person occupying such bunkhouse, tent or other sleeping place. Suitable bunks or beds shall be provided for all employees. Such bunks or beds shall be made of steel, canvas or other sanitary material, and shall be so constructed as to afford reasonable comfort to the persons occupying same. A clear space of at least twenty inches extending from the floor

to the ceiling or roof of any bunkhouse, tent or other sleeping place must be allowed between each bed or bunk in any bunkhouse, tent or sleeping place. Upon request of an employee he must be supplied with a mattress or some equally comfortable bedding, blankets, sheets, pillow and pillow case for which a reasonable charge may be made, the same to be deducted from his wages. Where sheets and pillow cases are furnished, they should be changed at least once a week. When straw or other substitute for a mattress is used a container or tick must be provided.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 175—An act to amend sections 2, 3 and 4, powers and duties of the board, 11 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violations thereof; and for the appointment of a Board of Pharmacy," approved March 30, 1905, as amended March 21, 1907, April 21, 1909, and May 27, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 833—An act to prevent the unauthorized use and disposition of and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 99—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 281—An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be known as section 8h.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the colon at the end of line 4, insert the following:

SEC. 8. It shall be unlawful for any person, firm or corporation to sell, furnish or give away or offer to sell, furnish or give away or to have in their or his possession any cocaine, opium, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, flowering tops and leaves, extracts, tinctures and other narcotic preparations or hemp or loco weed (*Cannabis sativa*), Indian hemp, peyote (*Anhalonium*), or chloral hydrate or any of the salts, derivatives or compounds of the foregoing substances or any preparation or compound containing any of the foregoing substances or any other salts, derivatives or compounds, excepting upon the written order or prescription of a physician, dentist or veterinary surgeon, licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm or corporation who shall compound or dispense the articles ordered or prescribed, and it

shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than ten grains of chloral hydrate, or four grains of Indian hemp or loco weed excepting upon the written order of the prescriber for each and every subsequent compounding and dispensing.

No copy or duplicate of such written order or prescription shall be made or delivered to any person but the original shall be at all times open to inspection by the prescriber and properly authorized officers of the law and shall be preserved for at least three years from the date of the filing thereof: *provided*, that the above provisions shall not apply to sales at wholesale by jobbers, wholesalers and manufacturers to pharmacies, as defined in section 1 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and acts amendatory thereof; or physicians nor to each other, nor to the sale at retail in pharmacies by pharmacists to physicians, dentists or veterinary surgeons duly licensed to practice in this State; *provided, further*, that all such wholesale jobbers, wholesalers and manufacturers, in this section mentioned shall keep in a manner readily accessible, the written orders or blank forms, required to be preserved under the provisions of section 2 of the act of Congress, approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing or giving away of opium or coca leaves and salts, derivatives or preparations. And said records shall always be open for inspection by any peace officer or any member of the Board of Pharmacy or any inspector authorized by said board and such records shall be preserved for at least two years after the date of the last entry therein.

The taking of any order, or making of any contract or agreement, by any traveling representative, or any employee, or any person, firm or corporation, for future delivery in this State, of any of the articles or drugs mentioned in this section, shall be deemed a sale of said articles or drugs by said traveling representative, or employee, within the meaning of the provisions of this act; *provided, further*, that a true and correct copy of all orders, contracts or agreements, taken for narcotic drugs specified in this section shall be forwarded by registered mail to the secretary of the California state board of pharmacy within twenty-four hours after the taking of such order, contract or agreement, unless such order, contract or agreement is recorded as required under the provisions of section 2 of an act of congress, approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing or giving away of opium or coca leaves, their salts, derivatives or preparations of some wholesale jobber, wholesaler, or manufacturer permanently located in this state, as provided for in this section.

It shall be unlawful for any practitioner of medicine, dentistry or veterinary medicine to administer to himself as a habitual user or furnish to or prescribe for the use of any other habitual user of the same, or of anyone representing himself as such, any cocaine, opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative or compound of the foregoing substances or their salts, derivatives or compounds; and it shall also be unlawful for any practitioner of medicine or dentistry to prescribe or give any of the foregoing substances for himself or any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe or furnish any of the foregoing substances for the use of himself or any other human being; *provided, however*, that the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the purposes of this act; *provided*, that such licensed physician shall report in writing, over his signature, by registered mail, to the office of the California state board of pharmacy within twenty-four hours after the first treatment, each and every habitual user of such narcotic drugs as are enumerated in this section, whom he or she has taken, in good faith, under his or her professional care, for the cure of such habit, such report to contain the date, name and address of such patient, and the name and quantity of the narcotic or narcotics prescribed in such treatment; *and provided, further*, that the above provisions shall not apply to preparations of the United States pharmacopoeia and national formulary or other recognized or established formula or remedies sold or dispensed without a physician's prescription containing not more than two grains of opium, or one-fourth grain of morphine, or one grain of codeine, or one-eighth grain of heroin, or ten grains of chloral hydrate or four grains of Indian hemp or loco weed in one fluid ounce, or, if a solid preparation, in one ounce, avoirdupois, except tincture opii camphorata (commonly known as paregoric) which may be sold only upon the prescription of a physician licensed to practice in this state and said prescription shall not be again refilled or dispensed.

SEC. 2. A new section is hereby added, to be known as section 84, and to read as follows:

Sec. 84. It shall be unlawful for any person, firm or corporation, to sell, furnish, or give away any barbitone, diethylbarbituric acid, or veronal, or any trade marked preparation composed of any of these substances, except upon the written order or



prescription of a physician duly licensed to practice in the State of California, and shall not be refilled without written order of the prescriber, and said prescription shall be at all times open to inspection by the prescriber and duly authorized officers of the law, and shall be preserved for at least three years from the date of the filing thereof.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, providing penalties and making an appropriation therefor.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in the title after the word "ingredient" insert the following: "vesting in the director of agriculture the enforcement of the provisions hereof and the promulgation and enforcement of rules and regulations hereunder."

After the word "therefor" in the title insert the following: "and declaring this act to be an urgency measure."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of section 1 and in lieu thereof insert the following:

SECTION 1. (a) The director of agriculture of the State of California is hereby empowered to prescribe reasonable regulations relating to the packing, shipment, storage, delivery for shipment, sale or offering for sale, of any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient in excess of the quantity prescribed or permitted by the laws of the United States or rules or regulations thereunder, to assure that no such fresh or dried fruits or vegetables may reach the consumer with any such excess of spray residue or other added deleterious ingredient, and it shall be unlawful for any person to pack, ship, store, deliver for shipment, sell or offer for sale any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient in excess of the quantity prescribed by the laws of the United States or rules or regulations thereunder, in violation of any regulations so established or prescribed by such director of agriculture.

(b) This act shall not apply to fresh or dried fruits or vegetables in the hands of a retail distributor in the State of California.

Amendment adopted.

##### AMENDMENT NUMBER THREE.

Strike out all that part of section 3 of the printed bill, beginning with and including the word "shall," in line 6, and insert in lieu thereof the following: "after reasonable notice to the persons interested and a hearing, shall, if such fruits or vegetables can be treated or processed so as to remove such spray residue or other added deleterious ingredient as shall be in excess of the quantity prescribed under the laws of the United States or rules or regulations thereunder, be released for such treatment or processing upon such conditions as the court in its discretion may impose, and may otherwise be condemned or destroyed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 521—An act to amend section 9 of and to add a new section to be numbered 4m to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing

penalties for violations of the provisions hereof," approved June 3, 1921, relating to the licensing of dealers in seeds.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out all of the first to seventh lines, inclusive, and inserting in lieu thereof the following:

An act to amend section nine of and add two new sections to be numbered four *m* and four *n* to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, relating to the registry of all dealers in seeds and verification of origin statements.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, commencing with the word A after the period, strike out everything down to and including the word dollars in line 29, page 2, and insert in lieu thereof the following:

A new section to be numbered 4*m* is hereby added to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," to read as follows:

Sec. 4*m*. Every person, firm or corporation, either as a wholesale and/or retail dealer, importer, broker, jobber or agent, must register with the director of agriculture for each place of business within the State of California, before engaging in the sale of any seed within the State of California. Such registry shall give such information as to the type and place or places of business as the director of agriculture may require. The registration fee for the principal place of business of a wholesale, wholesale and retail dealer, importer, broker or jobber shall be fifty dollars. The registration fee for the principal place of business of a retail dealer shall be ten dollars. The registration fee for each branch house or establishment shall be five dollars. Upon receipt of an application for registration duly accompanied by the appropriate registration fee the director of agriculture shall issue a registration certificate which shall be posted in a conspicuous place in the office of the place so registered and shall be in full force to and including the thirtieth day of June following the date of issuance thereof.

Nothing in this section shall be construed as requiring registration by any grower who, incidental to his production activities, sells only the seed which he has produced and where his activities do not involve the business features of a seed dealer; *provided, however*, that any such grower who makes a business of the retail sale of such seed in the open market through advertising or soliciting must register with the director of agriculture and receive a registration certificate before engaging in the sale of such seed. Said registration certificate shall be issued by the director of agriculture without charge.

Nothing in this section shall be construed as requiring registration by any person, firm or corporation who sells exclusively the seeds of a registered dealer in original containers which have not been opened.

SEC. 2. A new section to be numbered 4*n* is hereby added to said act to read as follows:

Sec. 4*n*. Whenever any lot of agricultural seed is sold, offered or exposed for sale within the State of California and the container is labeled or otherwise marked or the seed is otherwise represented as having been produced in any particular state, locality or district, the vendor of such seed must furnish proof of such statements or representations of origin when requested by the director of agriculture or his authorized agents. The vendor, when requested to do so by the director of agriculture or the purchaser of such seed, shall furnish a sworn affidavit as to the origin of such seed.

SEC. 3. Sec. 9 of said act is hereby amended to read as follows:

Sec. 9. Any person, firm or corporation that shall fail, neglect or refuse to affix to the packages or other containers in which agricultural seeds are sold, offered or exposed for sale, the labels required by the provisions hereof, or shall affix to any such package or other container any label containing any false statement of the matters or things required by the provisions hereof, or shall in any manner interfere with or obstruct the taking of samples of such seed as herein provided, or who neglects or refuses to register or who neglects or refuses to give such evidences of origin as may be requested, shall be guilty of a misdemeanor, and upon conviction

shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than six months or both; *provided*, a fine, if imposed for refusal or failure to register, shall not be less than fifty dollars; *provided, further*, that for any second or subsequent offense a fine, if imposed, shall not be less than one hundred dollars.

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 639—An act to amend sections 2, 3, 4, 6 and 7 of an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out all of the first to sixth lines, inclusive, and insert in lieu thereof the following:

An act to amend sections two, three, four, five, six and seven of and to add a new section to be numbered one *m* to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921.

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, commencing with the word "Section", strike out everything down to and including the period after the word "thereto" in line 51, page 3, and insert in lieu thereof the following:

SECTION 1. A new section to be numbered section 1 *m* is hereby added to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, to read as follows:

Sec. 1 *m*. This act may be known and referred to by the short title of "California seed act."

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. Every lot of agricultural seeds, except as herein otherwise provided, when sold, offered or exposed for sale in bulk, packages or other containers of five pounds or more shall bear a label stating:

(a) The commonly accepted name of such agricultural seeds.

(b) The approximate percentage by weight of purity; meaning the freedom of such agricultural seeds from other kinds of seeds distinguishable by their appearance and from inert matter.

(c) The approximate total percentage by weight of weed seeds.

(d) The name and approximate number per pound of each kind of seeds or bulbets of noxious weeds which are present in such agricultural seed.

(e) The approximate percentage of germination of such agricultural seeds together with the month and year said seed was tested: *provided, however*, that this statement shall not be a basis for prosecution under this act until after a hearing has been held thereon before the director of agriculture under such general rules and regulations as may be adopted by the director of agriculture.

(f) The full name and address of the vendor of such agricultural seed.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3. Mixtures of agricultural seeds which contain not more than two kinds of such seeds in excess of five per cent by weight each, when sold, offered or exposed for sale as mixtures and in bulk, packages or other containers of five pounds or more shall bear a label stating:

(a) That such seed is a mixture.

(b) The commonly accepted name and approximate percentage by weight of each kind of agricultural seed present in such mixture in excess of five per cent by weight of the total mixture.

(c) The approximate percentage by weight of weed seeds.

(d) The name and approximate number per pound of each kind of seeds or bulbets of noxious weeds which are present in such mixture.



(e) The approximate percentage of germination of each kind of agricultural seed present in such mixture in excess of five per cent by weight, together with the month and year said seed was tested: *provided, however*, that this statement shall not be a basis for prosecution under this act until after a hearing has been held thereon before the director of agriculture under such general rules and regulations as may be adopted by the director of agriculture.

(f) The full name and address of vendor of such mixture.

Sec. 4. Section 4 of said act is hereby amended to read as follows:

Sec. 4. Special mixtures of agricultural seeds, except as specified in section 3 of this act, when sold, offered or exposed for sale as mixtures, in bulk, packages or other containers shall bear labels stating:

(a) That such seed is a special mixture.

(b) The commonly accepted name of each kind of agricultural seed which is present in proportion of five per cent or more by weight of the total mixture.

(c) The approximate total percentage by weight of weed seeds.

(d) The approximate percentage by weight of inert matter.

(e) The name and approximate number per pound of each kind of the seeds or bulbets of noxious weeds which are present in such special mixture.

(f) The full name and address of the vendor of such special mixture.

Sec. 5. Section 5 of said act is hereby amended to read as follows:

Sec. 5. Agricultural seeds, mixtures or special mixtures of the same shall be exempt from the provisions of this act:

(a) When possessed, exposed for sale, or sold for food or manufacturing purposes only.

(b) When sold to merchants to be recleaned before being sold or exposed for sale for seeding purposes.

(c) When in store for the purpose of recleaning, or not possessed, sold, offered for sale for seeding purposes within this State.

(d) When the vendor of any lot of corn, wheat, oats, rye, barley, rice and/or grain sorghums, which has been produced within the State of California, elects to have posted in a conspicuous place in his office, delivery room and/or warehouse and on his loading platform, placards which have been obtained from the department of agriculture, which placards shall clearly indicate the fact that any lot of corn, wheat, oats, rye, barley, rice and/or grain sorghums sold in such place without label is sold in accordance with section 5 of the California seed act and has not been tested or labeled as to germination, purity or noxious weed seed content. The department of agriculture may charge a nominal sum for such placards to cover the cost of printing and mailing.

Sec. 6. Section 6 of said act is hereby amended to read as follows:

Sec. 6. The duty of enforcing this act and carrying out its provisions and requirements shall be vested in the state director of agriculture. The director of agriculture is hereby empowered to promulgate, amend or repeal, from time to time, such reasonable rules and regulations not in conflict with law as he may deem necessary to carry out the provisions of this act by setting forth such rules and regulations in a proclamation, a copy of which shall be mailed to those of the seed industry whose names are recorded in the California seed laboratory, and to each of the trade papers published within the State of California and to the secretaries of the American Seed Trade Association and the Wholesale Grass Seed Dealers Association. The said director of agriculture shall maintain a laboratory with proper equipment for making of laboratory tests under this act. He may publish or cause to be published the results of the examination, analysis and test of any sample of agricultural seed, mixture or special mixture of such seed.

Sec. 7. Section 7 of said act is hereby amended to read as follows:

Sec. 7. It shall be the duty of the said director of agriculture, either by himself or his duly authorized agents, to inspect, examine and make analysis of and test any agricultural seed sold, offered or exposed for sale within this state for seeding purposes within this state, at such time and place, and to such extent as he may determine. The director of agriculture upon request may sample, inspect, examine, make analysis of and certificate any lot of seed. The director of agriculture and his agents shall have free access at all reasonable hours to any premises or structures to make examination of any such agricultural seeds, whether such seeds are upon the premises of the owner or consignee of such seeds, or on the premises or in the possession of any warehouse, elevator, railway, steamship or transportation company, and he is hereby given authority in person or by his agents, upon notice to the dealer, his agent or the representative of any warehouse, elevator, railway, steamship or transportation company, if present, to take for analysis a composite sample of such agricultural seeds upon payment of a reasonable purchase price for the same when demanded.

Said sample shall be thoroughly mixed and two official samples taken therefrom. Each official sample shall be securely sealed. One of said samples shall be left with or upon the premises of the party in interest, and the other retained by said director of agriculture or his agent for analysis.

In case a sample drawn as provided herein upon test and analysis is found to fall below the statement on the tag or label attached to the lot of seed from which said sample was secured, or to violate any of the provisions of this act, the vendor or consignee of said lot shall be notified and a copy of said notice shall be mailed to the person, firm or corporation whose tag or label was found affixed thereto.

If, upon an official test or analysis of any sample taken from any lot of agricultural seed, mixture or special mixture thereof by the director of agriculture or his authorized agents, it is found that said lot contains more seeds or bulblets of noxious weeds per pound than is specified on the label attached thereto, such variances shall not constitute a violation of the provisions of this act unless they be in excess of the following tolerances which are established to allow for variations in sampling: (1) Twenty-seven seeds or bulblets per pound in timothy, redtop, tall meadow oat grass, orchard grass, crested dog's tail, Canada bluegrass, Kentucky bluegrass, fescues, brome grasses, perennial or Italian ryegrass, western ryegrass, crimson clover, red clover, white clover, alsike clover, sweet clover, alfalfa, and all other grasses or clovers not otherwise classified; (2) nine seeds or bulblets per pound in millets, rape, flax, mixtures, special mixtures, and other seeds not specified in (1) or (3) of this paragraph; (3) four seeds or bulblets per pound in wheat, oats, rye, barley, buckwheat, vetches, and other seeds as large or larger than wheat.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 342—An act requiring certain reports to be made concerning children with impaired hearing.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "parent" strike out the comma and in lieu thereof insert the word "or".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "guardian" strike out the words "and any person or persons".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the word "also" strike out the word "for" and insert in lieu thereof the word "of".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 21 to 27, inclusive, and in lieu thereof insert the following:

Sec. 4. No official or agent or representative in carrying out the provision of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of said child.

Nothing in this act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and/or other timber products by persons who by their own labor, and/or by using their live stock,

machinery and/or appliances, assist in felling, preparing, and/or transporting logs and/or in manufacturing lumber and/or other timber products from such logs, providing for means by which the owner of such logs and/or products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor, and making such liens prior to all other liens, claims or encumbrances, except the land owner's claim for a reasonable stumpage in cases where the land owner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same, approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 267—An act to amend section 3052 of the Civil Code, providing for the sale of property by a lien holder, notice of sale and disposition of the proceeds.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "twenty (20)" and insert in lieu thereof the word "ten (10)".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the words "twenty (20)" and insert in lieu thereof the word "ten (10)".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, strike out the word "twenty (20)" and insert in lieu thereof the word "ten (10)".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, after the word "notice" insert the words "by registered mail".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 1, line 18, of the printed bill, after the comma following the word "vehicle" insert the following: "if registered in this state,".

Amendment adopted.



## AMENDMENT NUMBER SIX.

On page 1, line 22, of the printed bill, after the word "sale" insert a comma and the following: "but failure on the part of said division to give such notice shall not affect the validity of any such sale".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 6, of the printed bill, preceding the word "owner," insert the word "legal".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 573—An act to amend sections 224, 226 and 227 of, and to add a new section to be numbered 224*m*, to the Civil Code, relating to adoption.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the third line of the title of the printed bill, strike out the words "a new section" and insert in lieu thereof the words "two new sections".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In the fourth line of the title of the printed bill, after the comma following "4*m*" add the following: "and 226*m*".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 13 and 14, inclusive, and insert in lieu thereof the following: "order of the juvenile court, declaring such child to be free from the custody and control of its parents as provided in the juvenile court law, approved June 15, 1915, or any act or acts superseding or amending the same."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 16 and insert in lieu thereof the following: "feeble minded or insane by a committee appointed by the state department of institutions; *provided*, that if so declared said father or mother shall have subsequently been determined to be incurably insane by the superior court of the county where he or she resides."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, following line 18, insert the following:

6. From the father or mother of any child relinquished for adoption as provided in section 224*m* of this code.

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 1, line 22, of the printed bill, beginning with the word "acknowledged" strike out down to and including "ments or" in line 24.

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 2, of the printed bill, after the word "homes" strike out the period and insert the following: "for adoption. Such relinquishment, when deciding that the person making it is entitled to the sole custody of the minor shall when duly

acknowledged before such officer or court be prima facie evidence of the right of the person making it to the sole custody of the child and such persons sole right to relinquish".

**Amendment adopted.**

**AMENDMENT NUMBER EIGHT.**

On page 2, line 9, of the printed bill, strike out the word "juvenile" and insert in lieu thereof the word "superior".

**Amendment adopted.**

**AMENDMENT NUMBER NINE.**

On page 2 of the printed bill, strike out all of lines 10 to 24, inclusive, and insert in lieu thereof the following: "petitioner resides, setting forth the name and age of the child to be adopted, the name and age of the petitioners, and the name, age and address of the relinquishing parent or parents."

**Amendment adopted.**

**AMENDMENT NUMBER TEN.**

On page 2 of the printed bill, following "Sec. 4." insert the following: A new section to be numbered 226m is hereby added to the Civil Code to read as follows:

226m. When a petition is filed for the adoption of a child, other than a child relinquished for the purpose of adoption, to a child placing agency licensed under section 2337 of the Political Code, and whose consent shall be necessary to such adoption, the petitioner must file a copy of such petition in the office of the state department of public welfare. It shall then be the duty of the department to verify the allegation of the petition and to ascertain whether the child is a proper subject for adoption, and to determine whether the proposed foster home is a suitable home for the child. No hearing shall be held or action taken until the department shall submit to the court a full report of the facts disclosed by its inquiry with a recommendation regarding the granting of the petition.

**Amendment adopted.**

**AMENDMENT NUMBER ELEVEN.**

On page 2 of the printed bill, strike out all of lines 27 to 52, inclusive, and all of page 3, and in lieu thereof insert the following:

227. The person or persons desiring to adopt a child, the child proposed to be adopted, the parent or other persons whose consent is necessary, if within or residents of the county, must appear before the court. The court must examine all persons appearing before it pursuant to this section, each separately, and if satisfied that the interests of the child will be promoted by the adoption, the party or parties adopting shall execute or acknowledge an agreement in writing that the child shall be treated in all respects as the lawful child of the party or parties, and the court shall thereupon make an order awarding the custody of the child to the adopting parent or parents. The petition, relinquishment, agreement and order must be filed in the office of the county clerk and shall not be open to inspection by any other than the parties to the action and their attorneys and the state department of public welfare except upon the written authority of the judge of the superior court.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 598—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917.

**COMMITTEE AMENDMENTS.**

During the second reading of the bill, the following committee amendments were offered:

**AMENDMENT NUMBER ONE.**

In line 1 of the title of the printed bill, after the word "amend" insert the following: "section nine of".

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

In line 1, of page 1, of the printed bill, after the word and figure "section 1" insert the following:

Section 9 of the workmen's compensation, insurance and safety act of 1917, is hereby amended to read as follows:

Sec. 9. Where liability for compensation under this act exists, such compensation shall be furnished or paid by the employer and be as provided in the following schedule:

(a) Such medical, surgical and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches and apparatus, including artificial members, as may reasonably be required to cure and relieve from the effects of the injury, the same to be provided by the employer, and in case of his neglect or refusal seasonably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employee in providing the same; *provided*, that if the employee so requests, the employer shall tender him one change of physicians and shall nominate at least three additional practicing physicians competent to treat the particular case, or as many as may be available if three can not reasonably be named, from whom the employee may choose; the employee shall also be entitled, in any serious case, upon request, to the services of a consulting physician to be provided by the employer; all of said treatment to be at the expense of the employer. If the employee so requests, the employer must procure certification by the commission or a commissioner of the competency for the particular case of the consulting or additional physicians; *provided, further*, that the foregoing provisions regarding a change of physicians shall not apply to those cases where the employer maintains, for his own employees, a hospital and hospital staff, the adequacy and competency of which have been approved by the commission. Nothing contained in this section shall be construed to limit the right of the employee to provide, in any case, at his own expense, a consulting physician or any attending physicians whom he may desire. Controversies between employer and employee, arising under this section, shall be determined by the commission, upon the request of either party.

(b) If the injury causes temporary disability, a disability payment which shall be payable for one week in advance as wages on the eighth day after the injured employee leaves work as a result of the injury. If the injury causes permanent disability, a disability payment which shall be payable for one week in advance as wages on the eighth day after the injury. Such indemnity shall thereafter be payable on the employer's regular pay day, but not less frequently than twice in each calendar month, unless otherwise ordered by the commission, subject, however, to the following limitations:

(1) If the period of disability does not last longer than seven days from the day the employee leaves work as the result of the injury, no disability payment whatever shall be recoverable.

(2) If the period of disability lasts longer than seven days from the day the employee leaves work as the result of the injury, no disability payment shall be recoverable for the first seven days of disability suffered.

2. The disability payment shall be as follows:

(1) If the injury causes temporary total disability, sixty-five per cent of the average weekly earnings during the period of such disability, consideration being given to the ability of the injured employee to compete in an open labor market:

(2) If the injury causes temporary partial disability, sixty-five per cent of the weekly loss in wages during the period of such disability:

(3) If the temporary disability caused by the injury is at times total and at times partial the weekly disability payment during the period of each such total or partial disability shall be in accordance with paragraphs one and two of this subdivision respectively:

(4) Paragraphs one, two, and three of this subdivision shall be limited as follows: Aggregate disability payments for a single injury causing temporary disability shall not exceed three times the average annual earnings of the employee, nor shall the aggregate disability period for such temporary disability in any event extend beyond two hundred forty weeks from the date of the injury.

(5) If the injury causes permanent disability, the percentage of disability to total disability shall be determined and the disability payment computed and allowed as follows: For a one per cent disability, sixty-five per cent of the average weekly earnings for a period of four weeks; for a ten per cent disability, sixty-five per cent of the average weekly earnings for a period of forty weeks; for a twenty per cent disability, sixty-five per cent of the average weekly earnings for a period of eighty weeks; for a thirty per cent disability, sixty-five per cent of the average weekly earnings for a period of one hundred twenty weeks; for a forty per cent disability, sixty-five per cent of the average weekly earnings for a period of one hundred sixty weeks; for a fifty per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred weeks; for a sixty per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks; for a seventy per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks, and thereafter ten per cent of such weekly earnings during the remainder of life; for an eighty per cent disability, sixty-five per



cent of the average weekly earnings for a period of two hundred forty weeks and thereafter twenty per cent of such weekly earnings during the remainder of life; for a ninety per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks and thereafter thirty per cent of such weekly earnings during the remainder of life; for a hundred per cent disability, sixty-five per cent of the average weekly earnings for a period of two hundred forty weeks and thereafter forty per cent of such weekly earnings during the remainder of life.

(6) The payment for permanent disabilities intermediate to those fixed by the foregoing schedule shall be computed and allowed as follows: If under seventy per cent, sixty-five per cent of the average weekly earnings for four weeks for each one per cent of disability; if seventy per cent or over, sixty-five per cent of the average weekly earnings for two hundred forty weeks and thereafter one per cent of such weekly earnings for each one per cent of disability, in excess of sixty per cent to be paid during the remainder of life.

(7) In determining the percentages of permanent disability, account shall be taken of the nature of the physical injury or disfigurement, the occupation of the injured employee, and his age at the time of such injury, consideration being given to the diminished ability of such injured employee to compete in an open labor market.

(8) Where an injury causes both temporary and permanent disability, the injured employee shall not be entitled to both a temporary and permanent disability payment, but only to the greater of the two.

(9) The following permanent disabilities shall be conclusively presumed to be total in character: Loss of both eyes or the sight thereof; loss of both hands or the use thereof; an injury resulting in a practically total paralysis; an injury to the brain resulting in incurable imbecility or insanity. In all other cases, permanent total disability shall be determined in accordance with the fact.

(10) Injury increasing disability: If an employee receives an injury which of itself would only cause permanent partial disability but which, combined with a previous disability, does in fact cause permanent total disability, the employer shall provide compensation only for the disability caused by the subsequent injury; *provided, however*, that in addition to compensation for such permanent partial disability, and after the cessation of the payments for the prescribed period of weeks, the employee shall be paid the remainder of the compensation that would be due for permanent total disability.

(10 $\frac{1}{2}$ ) In all other cases in which, following a previous disability, an employee receives an injury which is not covered by (10) of this subdivision, the employer shall provide compensation only for the disability caused by the subsequent injury. In determining compensation for the subsequent injury or for death resulting therefrom, the average weekly wages shall be computed as provided for in subdivision (f) of section 11 of this act.

(11) The commission may prepare, adopt, and from time to time amend, a schedule for the determination of the percentages of permanent disabilities, such table to be based upon the proper combinations of the factors indicated in subdivision seven above. Such schedule shall be available for public inspection and without formal introduction in evidence shall be *prima facie* evidence of the percentage of permanent disability to be attributed to each injury covered by said schedule.

3. The death of an injured employee shall not affect the liability of the employer under subsections (a) and (b) of this section, so far as such liability has accrued and become payable at the date of the death, and any accrued and unpaid compensation shall be paid to the dependents, if any, or, if there are no dependents, to the personal representative of the deceased employee or heirs or other persons entitled thereto, without administration, but such death shall be deemed to be the termination of the disability.

(c) If the injury causes death, either with or without disability, the burial expense of the deceased employee as hereinafter limited and a death benefit which shall be payable in installments equal to sixty-five per cent of the average weekly earnings of the deceased employee, upon the employer's regular pay day, but not less frequently than twice in each calendar month, unless otherwise ordered by the commission, which death benefit shall be as follows:

(1) In case the deceased employee leaves a person or persons wholly dependent upon him for support, such dependents shall be allowed the reasonable expenses of his burial, not exceeding one hundred fifty dollars, and a death benefit, which shall be a sum sufficient, when added to the disability indemnity which at the time of his death has accrued and become payable, under the provisions of subsection (b) hereto, to make the total disability indemnity and death benefit equal to three times his average annual earnings, such average annual earnings to be taken at not less than three hundred thirty-three dollars and thirty-three cents, nor more than one thousand six hundred sixty-six dollars and sixty-six cents.

(2) In case the deceased employee leaves no person wholly dependent upon him for support, but one or more persons partially dependent therefor, the said dependents shall be allowed the reasonable expenses of his burial, not to exceed one hun-

dred fifty dollars, and, in addition thereto, a death benefit which shall amount to three times the annual amount devoted by the deceased to the support of the person or persons so partially dependent; *provided*, that the death benefit shall not be greater than the sum sufficient, when added to the disability indemnity which, at the time of the death, has accrued and become payable, under the provisions of subsection (b) hereof, to make the total disability indemnity, and death benefit equal to three times his average annual earnings; such average annual earnings to be taken at not less than three hundred thirty-three dollars and thirty-three cents, nor more than one thousand six hundred sixty-six dollars and sixty-six cents.

(3) If the deceased employee leaves no person dependent upon him for support, the employer shall be liable for the reasonable expenses of his burial, not exceeding one hundred fifty dollars, and such other benefit as may be provided by law.

(d) Payment of compensation in accordance with the order and direction of the commission shall discharge the employer from all claims therefor.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act," relating to registration fees.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "schedule:" insert the following:

For each such vehicle weighing, when unladen, less than six thousand pounds.....	\$50.00
For each such vehicle weighing, when unladen, six thousand pounds or more, but less than ten thousand pounds.....	70.00
For each such vehicle weighing, when unladen, ten thousand pounds or more.....	90.00

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, after the word "following" strike out the word "table:" and insert the following: "table, except that the fees specified in this subsection need not be paid for electric vehicles:

When such vehicles are equipped wholly with pneumatic tires:	
For each such vehicle weighing, when unladen, three thousand pounds or more, but less than six thousand pounds.....	\$15.00
For each such vehicle weighing, when unladen, six thousand pounds or more, but less than ten thousand pounds and limited under the provisions of this act to a total weight, including vehicle and load, not exceeding twenty-two thousand pounds.....	40.00
For each such vehicle weighing, when unladen, ten thousand pounds or more and limited under the provisions of this act to a total weight, including vehicle and load, not exceeding twenty-two thousand pounds...	50.00
For each such vehicle weighing, when unladen, six thousand pounds or more and entitled under the provisions of this act to a total weight, including vehicle and load, in excess of twenty-two thousand pounds.....	70.00

When such vehicles are not equipped wholly with pneumatic tires there shall be paid in addition to the fees specified in subdivision (a) of this section fees according to the weight thereof unladen amounting to twice the fees set forth in the foregoing table.

Upon registration issued after the beginning of the registration year, the fees required under subdivisions (b) and (c) of this section shall be reduced by one-fourth for each three months which shall have elapsed since the beginning of the registration year."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Motor Vehicles.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 193—An act to provide an institution for the confinement, cure, care and rehabilitation of drug addicts to be known

as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof; and to make an appropriation therefor.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "or", strike out the word "periodically".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, after the word "any", strike out the words "narcotic drug" and insert in lieu thereof the words "opium, morphine, cocaine, or other narcotic drug."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 5, line 13, of the printed bill, strike out the word "misdemeanor" and insert in lieu thereof the word "felony".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 4, lines 24 and 25, of the printed bill, strike out the words "from which he is committed" and insert in lieu thereof the following: "of which he is a bona fide resident".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 233—An act to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and, for that purpose, to construct or acquire spreading basins, sinking wells and sinking basins and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of common benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of water therefrom; to provide for the levying and collecting of taxes and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:



## AMENDMENT NUMBER ONE.

On page 13, line 37, in section 24, of the printed bill, as amended by Assembly committee, in place of the words "of attorneys employed", which have been stricken out, insert the words, "of attorneys and others employed".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 21, of the printed bill, as amended by Assembly committee, strike out all of lines 17 and 18.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 796—An act authorizing State Board of Forestry to receive gifts or donations of lands for forest and watershed purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 50—An act to add a new section to the Political Code, to be numbered 2320, declaring the cultivated black currant (*Ribes nigrum*) a public nuisance, and providing for its eradication; and providing a penalty for the violation of the provisions of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 666—An act to amend section 12 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended, relating to the revocation of licenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 926—An act to amend sections 5 and 18 of the "California Warehouse Act," as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1061—An act to amend section 14 of the "California Grain Standardization Act," approved June 3, 1921, as amended, relating to the disposition of moneys and to the abolition of the "grain standardization fund."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1062—An act to amend section 17 of "The California Economic Poison Act of 1921," approved June 3, 1921, relating to disposition of fees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1063—An act to amend section 9 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and providing penalties for the infraction thereof, and means for enforcement of the act," approved March 20, 1903, as amended, relating to the disposition of fees.

Bill read second time, and ordered on file for third reading.

## REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Tubbs:

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 2533 of the Political Code, relating to the San Francisco harbor improvement fund.

Request referred to Committee on Rules.

THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 128—An act to add a new section to be known as section 22½ to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to boundary lines of fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 128 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, John-

son, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—34.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

On motion of Senator Baker, Senate Bill No. 610 was passed on file.

Senate Bill No. 166—An act to amend section 653*p* of the Civil Code, relating to nonprofit cooperative agricultural, viticultural and horticultural associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 166 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and West—32.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

On motion of Senator Jones, H. C., Senate Bill No. 579 was passed on file.

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

On motion of Senator Jones, H. C., Senate Bill No. 580 was passed on file.

Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026*a*, relating to release of defendant committed to State institution for insane, in criminal case.

On motion of Senator Baker, Senate Bill No. 386 was passed on file.



Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

On motion of Senator Baker, Senate Bill No. 387 was passed on file.

Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

On motion of Senator Kline, Senate Bill No. 615 was passed on file.

Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows to wit: Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to

deputies to assessor and collector; section 15*b*, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27*a*, relating to time for completion of assessment roll and time for equalizing assessments; section 27*b*, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28*a*, relating to levy of taxes by boards of supervisors; section 28*b*, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28*c*, relating to extension of time for duties in assessment, levy and collection of taxes; section 28*d*, relating to collection of unsecured taxes; section 28*e*, relating to addition of unpaid water tolls and charges to taxes; section 28*f*, relating to assessment lien; section 28*g*, relating to change of assessments and refund of erroneous taxes; section 28*h*, relating to notice that assessments are due and collection and delinquency of taxes; section 28*i*, relating to suit against delinquents to collect taxes; section 28*j*, relating to duty of collector on sale for delinquent taxes; section 28*k*, relating to sale for delinquent taxes; section 28*l*, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28*m*, relating to certificates of sale; section 28*n*, relating to record book of property sold for taxes and interest on redemption; section 28*o*, relating to redemption of property and collector's deed; section 28*p*, relating to delinquent taxes and deed on dissolution of district; section 28*q*, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28*r*, relating to assessment roll or delinquent list as prima facie evidence; section 28*s*, relating to misnomers; section 28*t*, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28*u*, relating to settlements between secretary and collector; section 29*a*, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act.

On motion of Senator Kline, Senate Bill No. 110 was passed on file.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363*i*, providing for the supervision of ports by the Department of Public Works.

On motion of Senator Nelson, Senate Bill No. 823 was passed on file.

Senate Bill No. 102—An act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 102 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

On motion of Senator McKinley, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 259—An act to add a new section to the Political Code, to be numbered 629*b*, relating to group life insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 259 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 703—An act to amend section 453*bb* of the Civil Code, and to add a new section thereto to be numbered 453*hh*, relating to mortgage insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 703 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 124—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy,



Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 258—An act to add a new section, to be numbered section 63½, to the Public Utilities Act, approved April 23, 1915, as amended, relating to increase in rates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 258 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 210—An act to amend section 29 of the "Public Utilities Act," approved April 23, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 210 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—32.

NOES—Senators Lyon and Taylor—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1033—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for the law library.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1033 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 845—An act providing for the use of labor of inmates of any State prison or the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 845 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

On motion of Senator Boggs, Senate Bill No. 237 was passed on file.

Senate Bill No. 297—An act to amend sections 7 and 9 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 297 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 135—An act to add a new section to be numbered 7m to an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to a chief narcotic enforcement officer.

In the absence of the author, Senate Bill No. 135 was ordered passed on file.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 719—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California,

and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, April 21, 1909, and May 27, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 719 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Irman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 415—An act to amend section 165 of the Penal Code, relating to bribery of public officials.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 415 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489, and 490 of the Penal Code, and to add a new section to the Penal Code, to be numbered 490a, defining the crime of theft and prescribing punishment therefor.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 408 to Senator McKinley, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, add the following: "In determining the value of the property obtained, for the purposes of this section, the reasonable and fair market value shall be the test, and in determining the value of services received the contract price shall be the test. If there be no contract price, the reasonable and going wage for the service rendered shall govern. For the purposes of this section, any false and fraudulent representation or pretense made shall be treated as continuing, so as to cover any money, property or service received as a result thereof, and the complaint, information or indictment may charge that the crime was committed on any date during the particular period in question. The hiring of additional employees without advising each of them of every outstanding labor claim and every judgment that the employer has been unable to meet shall be prima facie evidence of intent to defraud."

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 408, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Special Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 405—An act to add a new section to the Penal Code, to be numbered 681a, relating to trials in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 405 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, and Weller—28.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 403—An act to amend section 809 of the Penal Code, relating to the filing of informations in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 403 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Swing, Tubbs, and Wagy—28.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 398—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 398 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR MALONEY IN THE CHAIR.

At twelve o'clock and thirty-seven minutes p.m., Senator Maloney of the Twenty-third District was called to the chair.

Senate Bill No. 389—An act to amend sections 1006 and 1011 of the Penal Code, relating to demurrers in criminal cases and effect of overruling thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 389 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 390—An act to amend section 995 of the Penal Code and to add a new section to the Penal Code, to be numbered 995a, relating to indictment and informations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 390 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 392—An act to amend section 960 of the Penal Code, relating to the sufficiency of indictment, information, or complaint in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 411—An act to amend section 969 of the Penal Code, relating to pleading of prior convictions in indictments or information.

On motion of Senator West, Senate Bill No. 411 was passed on file.

Senate Bill No. 383—An act to amend sections 1070, 1089 and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases.

On motion of Senator West, Senate Bill No. 383 was passed on file.

Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases.

On motion of Senator West, Senate Bill No. 416 was passed on file.

Senate Bill No. 395—An act to amend section 952 of the Penal Code, relating to pleadings and form of indictment or information.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 395 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, Mueller, Nelson, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Senate Bill No. 393—An act to amend section 959 of the Penal Code, relating to the sufficiency of indictments, informations, and complaints.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 393 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 396—An act to amend section 951 of the Penal Code, relating to the form of indictment or information in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 396 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 397—An act to repeal sections 941 and 942 of the Penal Code, relating to grand juries.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 397 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

##### SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25, and 35 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919:

Also: Senate Bill No. 774—An act to amend the title and section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and rights of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended:

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON FISH AND GAME.

##### SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 463—An act to amend section 626 $\frac{1}{2}$  of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 604—An act to define certain words and phrases used in laws governing the protection of fish and game in the State of California;

Also: Senate Bill No. 606—An act to permit the fish and game commission to control predatory fish and animals;

Also: Senate Bill No. 136—An act to amend section 626 $\frac{1}{2}$  of the Penal Code, relating to the bag limit on game;

Also: Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the fish and game commissioners;

Also: Senate Bill No. 466—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915, as amended;

Also: Senate Bill No. 547—An act to repeal section 637 $\frac{1}{2}$  of the Penal Code, relating to the taking of sea-lions;

Also: Senate Bill No. 464—An act to amend section 631e of the Penal Code, relating to the protection of fish and game; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote—Ayes 13; absent 2.

CHAMBERLIN, Chairman.

Senate Bills Nos. 463, 604, 606, 136, 605, 466, 547 and 464 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—13; absent—2.

CHAMBERLIN, Chairman.

Senate Bill No. 524 ordered on file for second reading.

#### ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of veterans' welfare board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5; committee vote: Ayes—5.

MUELLER, Chairman.

Senate Bill No. 115 ordered on file for second reading.

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 120—An act granting to the city of Los Angeles the tide lands and submerged lands of the State within the boundaries of said city—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

TAYLOR, Chairman.

Senate Bill No. 120 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

TAYLOR, Chairman.

Senate Bill No. 49 ordered on file for second reading.

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 657—An act to amend section 85 of the "California Vehicles Act," approved May 30, 1923, as amended, relating to weights of motor vehicles—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—15; committee vote: Ayes—10; absent—5.

KLINE, Chairman.

Senate Bill No. 657 ordered on file for second reading.

## ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 165—An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent 3.

TAYLOR, Chairman.

Assembly Bill No. 165 was ordered on file for second reading.

## ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 688—An act to amend section 4041f of the Political Code and to add a new section to said code, to be numbered 4408a, relating to homes and meeting places for veterans:

Also: Assembly Bill No. 731—An act to authorize the State Adjutant General to lease State armories and other State property:

Also: Assembly Bill No. 1020—An act authorizing the Governor, as trustee, to receive on behalf of the National Guard of the State of California, certain funds from the Secretary of War of the United States:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—5; committee vote: Ayes—5.

MUELLER, Chairman.

Assembly Bills Nos. 688, 731 and 1020 ordered on file for second reading.

## ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 22—An act to add a new section to be numbered 27a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to the annexation of territory to sanitary districts:

Also: Senate Bill No. 17—An act to add a new section to be numbered 7a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof," approved May 17, 1923, relating to the sanitary board:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

CROWLEY, Chairman.

MURPHY.

GRAY.

JONES, RAY.

CANEP.

PEDROTTI.

ALLEN, N. M.

Assembly Bill No. 22 ordered on file for second reading.

Senate Bill No. 17 ordered on file for second reading.



## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 202—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*af*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same—and reports that the same has been correctly enrolled, and presented to the Governor on the sixteenth day of March, 1927, at 10 o'clock and 50 minutes a.m.

JONES, RAY, Chairman.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following constitutional amendments were introduced:

By Senator Lyon: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof, a new section to be numbered 5, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of \$1,000,000 for the purpose of providing a fund to be used and disbursed for the purpose of an Olympiad to be held in California in 1932.

Referred to Committee on Constitutional Amendments.

By Senator Hurley: Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article IV thereof, a new section to be numbered 37, relative to water conservation.

Referred to Committee on Constitutional Amendments.

## ADJOURNMENT.

At one o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Thursday, March 17, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, March 17, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—37.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 16, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Young was, on motion of Senator Hollister, granted leave of absence for this day.

Senator Weller was, on motion of Senator Ingram, granted leave of absence for this day.

Senator Chamberlin was, on motion of Senator West, granted leave of absence for this day.

## RECESS.

At ten o'clock and forty-five minutes a.m., on motion of Senator Taylor, the President declared the Senate at recess until the hour of ten o'clock and fifty minutes a.m.

## RECONVENED.

At ten o'clock and fifty minutes a.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Taylor, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Congressman Elmer Evans of Glendale, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Jack Friedlander of Los Angeles, California, Commissioner of Corporations.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Ruth Crowley of San Francisco, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. George C. Coddington of Oakland, California, and Mrs. Roy Davis of San Francisco, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to thirty-six students of seventh and eighth grades of Houston grammar school of San Joaquin County, and Mrs. Reese, principal.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Archie Upton, Mr. and Mrs. E. Ohlson, and Robinson Upton of Stinson Beach, California; Mr. William Veale and Mr. A. F. Bray of Martinez, California.

On request of Senator Allen, N. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Gladys Evelyn Moorhead, president of the City Teachers Association of Los Angeles, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Henry

J. Kaiser of Oakland, California; Mr. E. G. Lloyd and Mrs. Roy Fellom of San Francisco, California.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. and Mrs. Charles Pius of Yreka, California.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Orah M. Nichols of San Francisco, California.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 833—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act;

Also: Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and/or other timber products by persons who by their own labor, and/or by using their live stock, machinery and/or appliances, assist in felling, preparing, and/or transporting logs and/or in manufacturing lumber and/or other timber products from such logs, providing for means by which the owner of such logs and/or products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the land owner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act;

Also: Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

##### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the cost, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts;

Also: Senate Bill No. 192—An act to amend sections 1 and 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended;



Also: Senate Bill No. 731—An act to provide for the establishment of future street lines by any county, city or city and county along any present or proposed street or highway;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bills Nos. 126, 192 and 731 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 302—An act to amend the title and sections 2, 3, 4, 9, and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bill No. 302 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities; providing for the letting of contracts therefor; providing for the formation of lighting maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation; providing for the levying of special assessment taxes on lands within such districts; and providing for municipalities paying any part of such expenses and making advances to the district fund—has had the same under consideration, and respectfully reports the same back, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bill No. 522 ordered on file for second reading.

#### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties, and providing for adult probation boards in said counties and cities and counties;

Also: Senate Bill No. 250—An act to amend section 669 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

BAKER, Chairman.

Senate Bills Nos. 595, 250 and 372 ordered on file for second reading.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 6—An act to amend sections 751, 752, 752a, 752b, 753,

754, 755, 757, 760, 761, 762, 763, 764, 765, 766, 767, 769, 772, 773, 774, 776, 777, 778, 786, 788, 789, 790, 791, 797, 798, 806, 807, 808, 813, 851, 852, 852a, 852b, 853, 854, 855, 857, 858, 859, 860, 861, 862, 862a, 863, 864, 865, 867, 868, 870, 870a, 871, 872, 874, 875, 876, 878, 879, 880, 881, 882, 883, 884, of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities of the fifth and sixth classes;

Also: Assembly Bill No. 589—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, by providing that the electors of cities of the sixth class may, by majority vote, adopt either the commission or city manager plan of government; also that they may abolish the same by a like vote;

Also: Assembly Bill No. 421—An act to confirm a lease executed by the city of Richmond;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Assembly Bills Nos. 6, 589 and 421 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1151—An act to validate the organization and existence of municipal utility districts and declaring the urgency of said act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Assembly Bill No. 1151 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 443—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to the consolidation of voting precincts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Assembly Bill No. 443 ordered on file for second reading.

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Tubbs, to introduce a bill entitled—An act to amend section 2533 of the Political Code, relating to the San Francisco harbor improvement fund—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, and West—31.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Tubbs: Senate Bill No. 859—An act to amend section 2533 of the Political Code, relating to the San Francisco harbor improvement fund.

Bill read first time, and referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Evans, to introduce a bill entitled—An act creating the Angeles Forest Game Preserve in the counties of Los Angeles and San Bernardino in the State of California, providing for the prevention of the destruction of wild game within the boundaries thereof and providing penalties therefor—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, and West—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Evans: Senate Bill No. 860—An act creating the Angeles Forest game preserve in the counties of Los Angeles and San Bernardino in the State of California, providing for the prevention of the destruction of wild game within the boundaries thereof and providing penalties therefor.

Bill read first time, and referred to Committee on Fish and Game.

#### REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator McKinley:

SENATE CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, as amended, designated the "Bank Act", by adding a new section to be numbered section 9a, relating to the regulation of the business of banking.

McKINLEY, Chairman.

Request referred to Committee on Rules.

By Senator Baker:

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act relating to the liability in damages of public officers, regulating and declaring the liability in damages of counties, municipalities, school and other districts of a public character, and repealing an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work of property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled "An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property, approved April 26, 1911, approved May 18, 1919," and also repealing an act entitled "An act limiting the liability of supervisors, city trustees, city councils, board of education and school



trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of action in certain instances," approved June 13, 1923, and all other acts and parts of acts in conflict herewith.

Request referred to Committee on Rules.

By Senator Murphy:

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to provide for the escheat to the State of California of all moneys collected by any public utility in excess of the rate fixed by the Railroad Commission or other rate fixing body which shall have remained unclaimed for more than four years after the final determination of the legality of such rates and to provide procedure for the collection and disposition thereof and the filing of reports in respect thereto and to provide penalties for the violation of the same.

Request referred to Committee on Rules.

By Senator Nelson:

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 2620 of the Political Code, relating to the width of highways.

Request referred to Committee on Rules.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator West:

Resolution requesting the representatives of the city of Oakland in the State Senate and Assembly, for and on behalf of the city of Oakland, to express opposition against passage of Senate Bill No. 650, amending section 2872, of the Political Code of California:

WHEREAS, Senate Bill No. 650, introduced by Senator Lyon, amending section 2872 of the Political Code of California, would, if passed, deprive any local board of supervisors of discretionary powers granted under the present law, with respect to the granting of franchises for toll bridge projects, and would require such board to grant the application made on behalf of any bridge project, provided merely that the particular project complied with the various State and federal regulations, and

WHEREAS, It is, in the judgment of this council, unwise that at the present time powers granted to a local board of supervisors should be amended in any manner; therefore, be it

*Resolved*, That the City Council does hereby request the representatives of the city of Oakland, in the State Senate and the Assembly, to express the opposition of this city to the proposed bill.

I certify that the foregoing is a full, true and correct copy of a resolution passed by the City Council of the city of Oakland, California, on March 15, 1927.

FRANK C. MERRITT, City Clerk.

By WILLIS H. EDWARDS, Deputy.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 844—An act to add a new section to the Political Code, to be numbered section 2643, relating to powers and duties of supervisors respecting roads.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all

ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or counties or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in carrying out of such acquisitions, work and improvements.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On line 6 of the title of the printed bill, after the word and comma "grounds," insert the following: "pleasure piers."

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On line 7 of the title of the printed bill, after the word "way", insert the following: "and easements".

**Amendment adopted.**

##### AMENDMENT NUMBER THREE.

Strike out line 8 of the title of the printed bill, and insert in lieu thereof the following: "any right of way of which immediate possession and use has".

**Amendment adopted.**

##### AMENDMENT NUMBER FOUR.

On line 12 of the title of the printed bill, after the word "county", strike out the words "or counties".

**Amendment adopted.**

##### AMENDMENT NUMBER FIVE.

On page 1, line 1 of the printed bill, after the word and figures "Section 1." strike out all down to and including the word "to" on line 11, page 47 of the printed bill and insert in lieu thereof the following: "All public ways, as that term is defined hereafter in this act, now open or dedicated, or which may hereafter be opened or dedicated, to public use, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality, where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and all property for which an order to take immediate possession and use of a right of way required for a public use has been obtained from a court of competent jurisdiction in any action in eminent domain of proceeding for the acquisition of any public way, in compliance with the provisions of section 14 of article I of the constitution of this state, shall be deemed and held to be open public ways for the purposes of this act, and the several legislative bodies hereinafter mentioned are hereby invested with jurisdiction and empowered to estab-

lish and change the grades and fix the width thereof, and to order to be performed thereon and on any publicly owned property or rights of way any of the work or improvements mentioned in this act, and to acquire any of such public ways, and property or rights of way required by the public interest or convenience, all under and in accordance with the procedure hereinafter provided.

SEC. 2. Whenever the public interest or convenience may require, the legislative body of any county and the legislative body of any municipality are hereby severally authorized and empowered to order the acquisition, or improvement (as those terms are defined hereafter in this act), or both such acquisition and improvement, of any one or more of the public ways or of property or of rights of way of the public over which they are herein invested with jurisdiction. Separate proceedings may be had and taken for such an acquisition or improvement or both such acquisition and improvement may be included within and consummated in a single proceeding. Where the latter procedure is followed, public ways already acquired, as well as the whole or a portion of those to be acquired under the proceeding, may be improved under the one proceeding. The acquisitions and improvements above provided for may comprehend and include the whole or any portion or portions, either in length or in width, of any one or more of such public ways, property and rights of way, whether the same are contiguous or otherwise and neither the various items of the improvement or improvements, nor of the acquisition or acquisitions, nor the improvement and acquisition as a whole, included in a proceeding need be contiguous or coterminous. In addition to the above authority, power and jurisdiction, there is hereby granted the following authority, power and jurisdiction: To issue and sell, or otherwise dispose of, bonds representing the costs and expenses of any such acquisitions and improvements, as in this act hereafter provided; to constitute a fund for the payment of such bonds as in this act hereafter provided and to levy and collect special assessment taxes upon districts as in this act hereafter provided; to establish such districts and determine their boundaries and to establish and fix the boundaries of zones therein, as in this act hereafter provided; to establish grades for the doing of any work or the making of any improvement authorized in this act, as in this act hereafter provided; to make transfers of money from county funds or funds of the municipality to such special funds as are in this act hereafter provided; to purchase material and furnish the same to be used in any of the improvements comprehended in this act, as in this act hereafter provided; to make direct contributions of money in part payment of the expenses of any one or more or all of the acquisitions and improvements comprehended in this act; to create and administer revolving funds to facilitate and assist in the carrying on and completing of such acquisitions and improvements, as in this act hereafter provided; and to do any and all things necessary or incidental to the accomplishment of the things which are permitted to be done under this act. The jurisdiction of the legislative body of a county shall extend over and it shall have said power and authority to acquire and improve public ways within the boundaries of such county, and also those forming the exterior boundary of any municipality or municipalities where the same join unincorporated territory of the county, and also public ways and publicly owned property lying within one or more municipalities, where, in the case of an acquisition, the proposed acquisition, in the judgment of said legislative body, is necessary or proper to complete, connect with, or render of greater use to the public any public way or ways or public property in unincorporated territory of the county already acquired or to be acquired under the proceeding; and where, in the case of an improvement, the proposed improvement, in the judgment of said legislative body, is necessary or proper to complete, connect with, or render of greater use to the public any existing improvements in or on any public way or ways or public property in unincorporated territory of the county, or any improvements to be made under the proceeding; *provided*, that the consent of the legislative body or bodies of any municipality or municipalities in which any part of the district to be assessed may lie or in which any part of the proposed improvement may be located, shall first be obtained thereto and to the assessment of the property therein, which, in the opinion of the legislative body of the county, will be benefited thereby. Likewise, the jurisdiction of the legislative body of a municipality shall be extended over and it shall have said power and authority to acquire and improve public ways within the boundaries of such municipality, and also those forming its exterior boundaries where it joins unincorporated territory of the county or the territory of another municipality, and also public ways and public property lying within unincorporated territory of a county and of one or more other municipalities where, in the case of an acquisition, the proposed acquisition, in the judgment of said legislative body, is necessary or proper to complete, connect with, or render of greater use to the public, any public way or ways or public property within the municipality for which said legislative body functions, whether already acquired or to be acquired under the proceeding; and where, in the case of an improvement, the proposed improvement, in the judgment of said legislative body, is necessary or proper to complete, connect with, or render of greater use to the public any existing improvements in or on any public way or ways or public property within said municipality, or any improvements to be made under the proceeding; *provided*, that the consent of the legislative body or bodies of the county and of such other municipality or



municipalities within the boundaries of which such public ways and property lie, expressed by resolution, shall first be obtained thereto and to the assessment of the property therein, which, in the judgment of the legislative body of the county or municipality conducting the proceeding will be benefited thereby. The true intent and meaning of the above provisions for such acquisitions and improvements is that the necessary jurisdiction and power for the consummation thereof shall be vested in, and proceedings therefor may be had and taken by the legislative body either of a county or of any municipality in which the public interest or convenience is affected thereby and that each of said legislative bodies shall have concurrent jurisdiction to initiate such proceedings; *provided*, that the legislative body initiating the proceeding and adopting the resolution of intention therefor, as hereinafter provided, shall thereafter have exclusive jurisdiction of the proceeding and of all acquisitions and improvements, comprehended therein, for the purposes of consummating the same.

SEC. 3. The legislative body initiating and conducting any proceeding under this act shall have power and authority, in addition to that elsewhere given, as follows, to wit:

(1) To appoint and employ, at any stage of the proceedings, before calling for bids, any competent engineer, to be designated "engineer of work," for the purpose of doing and furnishing all the civil engineering work or services, surveying and all similar work and services necessary to the proper performance of the improvement. His compensation, or at least the rate thereof or some basis for computing the same, shall be fixed and stated in the order of his appointment, which said order shall be entered in the minutes of the legislative body; *provided, however*, that any county officer, if the proceeding is conducted by the legislative body of the county, and that any municipal officer, if the proceeding is conducted by the legislative body of a municipality, may be appointed such engineer of work without compensation.

(2) To appoint, in and as a part of the ordinance of intention any competent person, to be designated "superintendent of work," whose duty it shall be to perform the services prescribed or indicated for him in this act and to have the general actual supervision of the improvement constructed. His compensation shall be fixed at the time, and in the resolution of his appointment at a per diem for all time actually devoted to the work; *provided*, that any county officer, in case the legislative body of a county is conducting the proceeding, and any municipal officer or board, in case the legislative body of a municipality is conducting the proceeding, may be appointed as such superintendent without compensation.

(3) To appoint and designate any competent person for the purpose of preparing and furnishing the ordinance of intention and engineering data as set forth in section 4 of this act and to fix his compensation or some basis for computing the same, or to appoint and designate any officer of the county or officer of the municipality, as the case may be, for such purpose, without compensation.

(4) To appoint and employ, in and as a part of the resolution of intention or later in the proceeding, by an order to be entered upon its minutes, any competent attorney whose duty it shall be to perform the services in this act prescribed or indicated in connection with the proposed acquisition, whose compensation, or at least the rate thereof or some basis for computing the same, shall be fixed and stated in the order of his appointment; *provided, however*, that if no appointment or employment of an attorney is made as above provided then the services to be performed by the attorney as prescribed or indicated in this act shall be performed by the city attorney, in cases where the proceedings are initiated and conducted by the legislative body of a municipality, and in cases where such proceedings are initiated and conducted by the legislative body of a county, by the district attorney of the county, except that in counties having freeholders' charters creating the office of county counsel they shall be performed by the county counsel.

(5) To appoint and designate other competent persons in the places respectively of the persons so originally appointed, with compensation (so far as practicable) proportionately the same as fixed for the original appointees, and to appoint such additional persons as may be needed to accomplish the thing or things to be done under this act, and to fix their compensation, which shall be a charge against the district.

No part of such or any compensation for said officers or employees so appointed or designated, or for services rendered by any of them, shall be a charge against the county or municipality or any officers thereof; *provided*, that the county, in proceedings conducted by its legislative body, and the municipality, in proceedings conducted by its legislative body, shall be liable for the expenses of the preparation and furnishing of the ordinance of intention and engineering data and of the posting and publication of all resolutions and notices required to be posted and published in the event that proceedings cease or are abandoned before the award of the contract, or before a final judgment is obtained. Whenever any county or municipal officer is appointed and designated to any of the positions or duties hereinabove mentioned, without compensation, the actual and necessary expenses incurred under his supervision, including the compensation of other persons, made necessary by the duties of

such positions, shall be a charge against the county or municipality appointing and designating him, but shall be repaid to such county or municipality as incidental expenses of the proceeding.

No member of the legislative body of any county or municipality shall be eligible to appointment to any office, position or employment under this act, except as a county or municipal officer without pay.

SEC. 4. The legislative body desiring to initiate proceedings for the making of any acquisition or improvement, or both an acquisition or improvement, under the provisions of this act shall by an order to be entered upon its minutes describe briefly the acquisition or improvement or both, setting forth a statement of the location, general nature, character of the acquisition or improvement and the general results to be obtained by the same, and shall appoint and designate some county officer, if the legislative body be that of a county, or some municipal officer, if it be that of a municipality, or some competent person in either case, and direct him to prepare an ordinance of intention and to prepare and furnish the engineering data for said acquisition or improvement or both.

Said engineering data shall include all plans, maps, profiles, cross-sections, detail drawing, specifications, and a list showing the descriptions of property proposed to be acquired, and a map showing each of said properties and the maximum price to be allowed for each separate parcel, and the severance damage allowed for the remaining property, and the damage to improvements caused by the acquisition, and all data necessary for said acquisition or improvement or both, together with:

A. A statement of the total estimated cost of said acquisition, including cost of land taken, severance damages and damages to improvements; such statement to be so itemized as to show the damage estimated for each separate piece of property for each separate cause;

B. A statement of the estimated cost of the improvement;

C. A statement of the estimated incidental expenses;

D. An itemized statement of the estimated amount of damages caused to each separate piece of property by the improvement (included in the damages shall be the reasonable value of any part of any street improvement which shall have been installed at the expense of the property affected and which will be destroyed if the improvement be made or which will be retained and used in connection with the improvement contemplated. The rate at which said value shall be figured shall be the original cost as nearly as may be ascertained less depreciation and obsolescence.);

E. A description of the district to be benefited by the proposed acquisition or improvement or both, a map or plat showing the same and also the different zones within said district (if any are necessary because of varying benefits) containing the lands to be benefited in like measure but in a different measure from those in other zones; and

F. A statement as to comparative benefits to be derived by property in each zone or a percentage scale where the maximum is one hundred.

In establishing said zones no consideration shall be given to any damages.

The plans and profiles shall show the original grades and the grades to which the contemplated improvements are to be constructed.

Said engineering data and each and every part thereof shall be signed by the person designated and directed to prepare the same and he shall present it to the legislative body ordering said engineering data. Said legislative body shall examine said ordinance of intention and said engineering data and may approve the same or may order modification or changes to be made therein. When approved by the legislative body, the engineering data shall be filed with the clerk of said body. At any time before the adoption of the ordinance of intention, the engineering data may be corrected or modified by order of said body. Any error or informality in the appointment of any officer or other person to prepare the ordinance of intention and to furnish engineering data shall not invalidate or in any way affect the proceedings.

SEC. 5. Before ordering any acquisition or any improvement authorized by this act, the legislative body which is to conduct the proceedings shall adopt an ordinance of intention so to do, referring to the public way or ways, in the case of a public way already acquired, by its lawful or official name, or the name by which it is commonly known, and, in the case of a public way to be acquired under the proceeding, by the name by which such public way is to be called upon its acquisition (which name shall thereby be fixed and established), and when the acquisition or improvement is of property or a right of way owned or to be acquired by the public, then by briefly describing the said property or right of way. In the case of an acquisition, the ordinance shall briefly set forth that a public way or property or right of way (naming or otherwise describing it and giving the termini of the way or ways) is to be acquired, and describe the property necessary or convenient to be taken therefor. It shall be determined in said resolution that the public interest and necessity require the acquisition therein set forth, and that said property to be taken is necessary therefor. Said ordinance, in the case of an acquisition, shall be adopted by a vote of two-thirds of the members of said legislative body. In the case of an improvement, said ordinance shall determine that the public interest and neces-

sity require the improvement set forth in the resolution and shall briefly describe the improvement, it being sufficient to state in general terms the class or kind of work contemplated (such as grading, paving, sewerage, or other work or improvement), the termini thereof, and to give in general the location of the proposed improvement and refer to the engineering data on file (which shall be approved by said legislative body and be on file in the office of the clerk thereof at the time of the adoption of said ordinance), for a full and detailed description and location of said proposed improvement, and of the grades to which said improvement is to be constructed. Said ordinance shall contain the following statement: "The notice of all persons affected is directed to the grades for the proposed improvement and to the provisions of the acquisition and improvement act of 1927 relating to grades," and in cases where the construction of the proposed improvement will result in a substantial change (considered with reference to existing physical conditions) with respect to the relation of the elevation of any abutting property to that of the public way as it will exist upon being improved to the proposed grade, there shall be included in said statement the following: "Particular notice is directed to the fact that substantial changes in the relation of the elevation of abutting property to that of said public way (or ways), as it (or they) will exist after being improved, will result from the construction of the above mentioned improvements to the proposed grades, and particular attention is called to the damages proposed to be allowed to the owners of various properties damaged." If both an acquisition and improvement are contemplated in the same proceeding, one resolution of intention, containing the above requirements in the respective cases, shall be sufficient. Said ordinance shall also contain a description of the district of the lands to be benefited by said proposed improvement or acquisition, or both, as the case may be, which shall be known thereafter and which will in this act hereafter be referred to as the "assessment district." Each proceeding under this act may, for convenience, be entitled, and such entitling shall be sufficient for all purposes: "In the matter of acquisition and improvement district number.....of the county (or city, as the case may be) of.....(giving a different number to each district for which a proceeding is had) and a like designation of the district (omitting the words "in the matter of") shall be a sufficient designation of the district at all times and for all purposes. The said description of the assessment district may be in general terms, referring to a plat or map approved by the legislative body conducting the proceeding, which shall be on file in the office of the clerk of such legislative body at the time of the adoption of said ordinance of intention, and which shall indicate by a boundary line the extent of the territory to be included in the proposed assessment district, which said plat or map shall govern for all details as to the extent of said assessment district. Said ordinance shall also contain a statement that, for the expenses of the things therein proposed to be done or the share thereof to be paid by said district, bonds will be issued to the total amount of.....dollars and the aggregate principal of all bonds issued under the proceeding to be paid and discharged within.....(not to exceed thirty).....years after the date of issuance, approximately one.....(not less than one-thirtieth).....part of such aggregate principal to be payable annually, all in gold coin, and that a special fund for the payment of said bonds will be constituted by the levy of special assessment taxes upon the lands within the assessment district, in accordance with the provisions of this act, according to the assessed value of said lands, exclusive of the improvements thereon, except as otherwise in this act provided. If the legislative body so determine, it shall include in said resolution a statement that the first payment on the aggregate principal of the bonds issued will be made.....(not to exceed five).....years after the issuance thereof. The amount of bonds to be issued shall equal the estimated amounts for all acquisitions, damages, incidental expenses and work proposed to be done plus ten per cent for contingencies. The rate of interest which said bonds shall bear shall not be stated in the ordinance of intention but shall be the lowest rate at which any bidder will take said bonds or such of them as are offered for sale and pay par and accrued interest for the same, provided said rate may not exceed seven per cent per annum.

The lands upon which said special assessment taxes shall be levied shall be all those lying within the assessment district, including any lands which are the operative property of any public utility; *provided*, said lands shall not include any lands belonging to the United States government or the State of California, but they shall include all lands belonging to any county, municipality, district, public agency, mandatory of the government, school board, educational, penal or reformatory institution, or institution for the feeble-minded or insane, included within the assessment district, whether being in use in the performance of any public function or otherwise; *provided, however*, that the legislative body conducting the proceeding may, in the resolution of intention, declare that any land or lands, describing the same, belonging to any county, municipality, district, public agency, mandatory of the government, school board, educational, penal or reformatory institution, or institution for the feeble-minded or insane, lying within the assessment district, or any of them, shall be omitted from the said district and from the levy and collection of the special assessment taxes thereafter to be levied and collected to cover the expenses



of the acquisition or improvement, or both, as the case may be. In order that any such lands may be so exempted, however, it must be determined and set forth in the ordinance of intention that such lands are in use in the performance of a public function.

If, in the judgment of the legislative body conducting the proceeding, varying benefits to be derived by the different parcels of land lying within the assessment district so require, the said district may be divided into zones according to benefits. Said district may be divided into as many zones—up to the total number of parcels of land in the district—as may be deemed necessary, and each zone shall be composed of and include all the lands within the district which will be benefited in like measure. Said legislative body shall also determine the percentage of benefit which the property in each zone shall be deemed to derive. When the district is divided into such zones the ordinance of intention shall so state, giving said percentages of benefit to the lands in each zone. Each zone shall be designated by a different letter or number and shall be plainly shown upon the map or plat of the assessment district filed in the office of the clerk of said legislative body and referred to in the ordinance of intention, either by separate boundaries, coloring, or other convenient and graphic method, so that all persons interested may with accuracy ascertain within which zone any parcel of land is located. It shall be sufficient in all cases where the assessment district is to be divided into such zones according to benefits if the ordinance of intention states that fact and refers to said plat or map for the boundaries and all details concerning the said zones. Ordinance shall contain a notice of a day, hour and place (to be fixed therein) when and where any and all persons having any objections to the proposed acquisition or improvement, or both (if both be included in the proceeding,) to the proposed grades to which the improvement (if any,) is to be constructed, to the damages proposed to be allowed, to the extent of the assessment district, to the zones (if any,) into which said district is to be divided, or to the percentages to be raised from each of said zones, or to any or all of the foregoing, may appear before the legislative body conducting the proceeding and be heard. Said time shall not be less than seventy-five nor more than one hundred days from the date of the adoption of said ordinance. The clerk of said legislative body shall cause said ordinance of intention to be published by at least two insertions. The first insertion must be within fifteen days of the passage of the ordinance of intention and the second insertion must be not less than five days nor more than ten days before the time of hearing.

Where in the case of any acquisition or improvement hereunder the proceeding is for the purpose of carrying out any improvement a share of the cost of which is under order of the railroad commission of this state to be borne by a public utility the operative property of that utility within the assessment district shall be placed and remain in a zone of zero benefit.

SEC. 6. The grades to which any work shall be done or improvement made under proceedings had in pursuance of this act shall be those set forth in the engineering data on file with the clerk, and referred to in the ordinance of intention. In the case of the improvement of public ways, property or rights of way, to be acquired and improved under the same proceeding, the legislative body conducting the proceeding shall have jurisdiction and power to and shall determine and establish the grades to which the improvements are to be constructed. In the case of the improvement of public ways, property or rights of ways already acquired, said legislative body shall likewise have jurisdiction and power to and shall determine and establish the grades to which the improvements are to be constructed, which grades may be either the grades, or any of them, which have previously been officially or otherwise established or adopted, or they may be grades different, modified or changed from those previously so established or adopted. In all events the statement contained in the ordinance of intention directing notice to the grades, as heretofore provided, shall constitute sufficient notice thereof to any person affected. Any property owner whose property is included within the assessment district for the proposed improvement and any other person whose rights are affected may, at the time fixed in the ordinance of intention for the hearing of objections, appear before the legislative body conducting the proceedings and present written objections to the grade or grades to which any or all of the improvements are proposed to be constructed, and if any person claims any damage on account of change of grade in excess of the amount of damages estimated for his property he must present his claim for excess in writing. A failure to make such written objection or claim at such time shall be deemed to be a waiver of all objections to the grade or grades to which the improvement is proposed to be constructed, whether such grade or grades be different, modified or changed from those previously established or adopted, or not, and shall operate as a bar to any claim for damages, beyond those estimated in the engineering data, and to any action looking to the prevention of the work or improvement, the avoiding of paying therefor, or recovery of damages on account of the construction of the work or improvement or grades beyond those estimated in the engineering data. The provisions of this section relative to grades are alternative and shall not repeal the provisions of any other statute relative to change of grade, but shall govern and control for all purposes and for all improvements made in proceedings conducted under this act.

SEC. 7. The legislative body of the county or municipality conducting the proceedings may determine that any part of the expenses of the acquisition or improvement, or both, as the case may be, shall be paid out of the treasury of the county or municipality, as the case may be, and such payment, or any part of the same, may be made from the general fund of such county or municipality or from any other fund available to such county or municipality and from which expenditures may be made for acquisitions or improvements of like character as those which may be made under this act. Said legislative body conducting the proceedings may also purchase all or any part of the materials to be used in constructing any of the improvements included in the contract therefor made under this act and furnish the same therefor, said purchase to be made from any of the funds above mentioned. If such county or municipality has a purchasing agent, said materials shall be purchased by him; otherwise said materials shall be purchased by the legislative body by contracts let to the lowest responsible bidder after notice calling for bids has been published by at least two insertions in a newspaper, or by any other method prescribed by law for the purchase of materials by a county or municipality. If the county or municipality is to furnish materials or make payment toward said expenses, the ordinance of intention shall so provide and shall state the fund from which such materials are to be purchased or payments made. When such provision is made, the execution of the contract for the improvement (in the case of an improvement), and the obtaining of an interlocutory judgment (in the case of an acquisition), shall create a liability on the part of the county or municipality, as the case may be, to furnish the materials or make the payments provided for in the ordinance of intention. In the event that the acquisition or improvement, or both such acquisition and improvement, under the proceeding includes any acquisition or improvement, or both, within the territory of a county or any municipality or municipalities for which the legislative body conducting the proceeding does not function, the legislative body of such county or municipality may determine that any part of the expense of the acquisition or improvement, or both, in the proceeding shall be paid out of its treasury, or materials therefor furnished, as above provided, from any of its funds above mentioned. Such determination shall be expressed by resolution of such legislative body which shall be transmitted to the legislative body conducting the proceeding and thereupon a liability of such county or municipality to furnish such portion of such expenses and materials, or expenses or materials, provided for shall be created as above provided. The ordinance of intention shall set forth the fact that such portion of the expenses and materials, or expenses or materials, are to be paid and furnished, or paid or furnished, by such county, municipality or municipalities, or any combination or all thereof, as the case may be.

SEC. 8. After the adoption of the ordinance of intention the superintendent of work shall cause to be conspicuously posted along the lines of all dedicated streets within the proposed assessment district and along the line of said contemplated work or improvement, if an improvement is contemplated, and along the line of the property to be acquired, if an acquisition is contemplated, at not more than three hundred feet in distance apart but not less than three in all, notices of the adoption of said resolution; *provided, however*, that the failure to post any or all of said notices shall in no event affect the validity of the proceedings or the jurisdiction and power of the legislative body to order the acquisition or improvement, or both. Said notices shall be entitled "Notice of public improvement" in letters of not less than one inch in length; and shall, in legible characters, state the fact of the adoption of the ordinance of intention, its date, and briefly and in general terms, the improvement or acquisition, or both, as the case may be, proposed, and refer to the ordinance of intention for further particulars. The said notices need not contain a description of the assessment district described in the ordinance of intention but may refer to said ordinance therefor. Said notices shall contain also a statement of the day, hour and place when and where any and all persons having any objections to the proposed improvement or acquisition, or both, as the case may be, or to the grade or grades to which the improvement is proposed to be constructed, or to the extent of the assessment district, or to the zones, if any, into which such district is divided, or to the percentages of benefit to each of such zones, or to any or all of the foregoing, may appear before the legislative body and be heard.

If deemed advisable and the legislative body so orders, said notices may consist of printed copies of the ordinance of intention, entitled as above provided, and the same shall be sufficient for all purposes of said notice.

The legislative body may, if it deems it advisable, direct the clerk thereof to mail copies of said notices to the owners or reputed owners whose names and addresses are known to him, but the mailing of such notices shall not be essential to obtaining jurisdiction by the legislative body and the failure so to do shall not affect in any manner the validity of any proceedings taken hereunder. The failure of the legislative body to so direct said clerk shall presume a finding by said body that said mailing is not advisable or necessary.

SEC. 9. At any time not later than the hour set for hearing objections as provided in the preceding section, any owner of land within the boundaries of the assessment district as set forth in said ordinance may, severally, or with other such owners,

file with the clerk of the legislative body conducting the proceedings, written objection to the thing or things proposed to be done, whether it be an improvement or acquisition, or both, or to the grade or grades to which the improvement is proposed to be constructed, or to the extent of the assessment district, or to the zones, if any, into which the said district is divided, or to the percentages of benefit determined for each of said zones, or to any or all of the foregoing. Upon such hearing all objections and protests to the doing of the thing or things proposed to be done shall be heard and considered. If upon said hearing it appears that the owners of property included within the entire assessment district, as proposed, having protest weight as hereinafter defined totaling forty per cent of the total possible protest weight in the entire district proposed to be assessed, have in writing made objection to the doing of the thing or things proposed to be done, i.e. the improvement or acquisition, or both, as the case may be, in their entirety, and the ordering of the same, the legislative body shall, by a resolution to be entered upon its minutes, so find and thereupon such legislative body shall have no power to proceed further under said ordinance of intention nor to adopt any ordinance for doing the same thing or things during a period of twelve months next succeeding the time of such finding, unless the said objections be overruled by an affirmative vote of four-fifths of the members of said legislative body. But if it appears that such objections have a total protest weight of sixty per cent of the total possible, the same may not be overruled.

If the objection against the doing of the thing in its entirety is signed by forty per cent and not more than sixty per cent of the total possible protest weight, the proceedings may not be repeated before twelve months unless ordered by a four-fifths vote and if it be signed by sixty or more per cent the proceedings may not be ordered repeated sooner than twelve months thereafter; *provided, however*, that if on the basis of the current year's assessment and on the basis of the percentages proposed to be collected from the various zones the rate of tax on any parcel of land in the district on the land value exclusive of improvements required to secure in that year an amount equal to the maximum possible requirement for interest and sinking fund for any year during the life of the bonds proposed to be issued, shall exceed ten per cent; then a protest of forty per cent weight may not be denied; *and provided, further*, that upon showing by any protestant that said rate of tax taken together with the actual rate of the tax bill of the current year on his property plus the rate which would have been required to raise an amount equal to all instalments of principal and interest which said protestant was required to pay during the current year on all other assessments would exceed twenty per cent on his land value, exclusive of improvements, then his protest against the doing of the thing in its entirety may not be denied.

Next shall be heard, in any order desired by such body, such objections as shall be made to the extent of the district and to the zones, if any, into which said district is divided and to the percentages to be raised therefrom as set forth in the ordinance of intention, and objections to the grade or grades to which the improvement is proposed to be constructed or the damages proposed to be paid.

The hearing may be continued from time to time by the legislative body by an order to be entered upon its minutes.

If the power to proceed has not been lost by virtue of protests as hereinabove provided, and if the legislative body upon hearing of the objections shall decide that changes are desirable in any of the matters covered by the ordinance of intention, they may order the ordinance of intention amended and the changes incorporated and shall adopt an ordinance amending the ordinance of intention in the particulars ordered and shall adjourn said hearing for a period of not less than fifteen days nor more than thirty days and shall cause said ordinance to be published by one insertion not less than ten days before the day set for said hearing and said ordinance shall contain the following notice:

"Notice is hereby given that in the matter of acquisition and improvement district number \_\_\_\_\_ of the county (or city, as the case may be), of \_\_\_\_\_, the legislative body of said county (or city) has ordered the changes in the ordinance of intention as herein set forth to be made."

The amending ordinance shall contain a notice of the day, hour and place to which the hearing of the objections to said proceedings has been adjourned, and all persons objecting to said proceeding or to said proceedings as changed by this ordinance may file their objections at any time not later than the hour set for the adjourned hearing.

The period for filing objections to the whole proceeding shall thereby be extended to the hour at which said hearing has been adjourned and all objections filed against the original proceedings shall be effective as against the amended proceedings unless revoked in writing.

Owners of land within the meaning of this section are those, and those only, who appear to be such upon the records in the recorder's office of the county in which the district is situated on the day before the day set for said hearing, and an executor or administrator shall be deemed representative of his decedent, and a trustee of an express trust in land, other than as security for the payment of money, of the land held in such trust, and a trustee in bankruptcy of the bankrupt, and a guardian of his ward. A contract purchaser, who exhibits his contract, a mortgagee



named in a recorded mortgage or the trustee named in a recorded deed of trust, shall have power to sign a protest representing the described property, if the owner does not protest; *provided, however*, that if more than one sign for the same property it shall be counted as one protest. The objection of any owner may be made by the signature of his agent; *provided*, that there must be attached to the objection the affidavit of the agent that he is duly authorized to sign said objection. Every written objection must contain a description of the property in which each signer thereof is interested, sufficient to identify it, and must set forth the nature of his interest therein, and, if signed by more than one objector, must be accompanied by the affidavit of one of the signers thereto that each signature thereof is the genuine signature of the person whose name is thereto subscribed. Any written objection not complying with the foregoing requirements shall not be considered by the legislative body in determining the percentages of protest weight of owners of property within the district by whom written objection has been made to the doing of the thing or things proposed.

SEC. 10. The protest weight of property in any assessment district shall be ascertained by multiplying the assessed value of the land, exclusive of improvements, as shown on the assessment roll last preceding the date of adoption of the ordinance of intention, by the percentage of benefit, stated in the ordinance of intention for the zone in which the property is located. If any zone line shall cleave any parcel as assessed on said roll, the value of the parcels shall be the total assessment divided in proportion to area of the parts.

SEC. 11. Unless the power to proceed shall have ceased, as hereinbefore provided, the legislative body shall in conclusion of the aforementioned hearing and as a determination of all questions arising thereat, by resolution to be entered upon its minutes, which resolution is hereinafter referred to as the final resolution, declare its finding that the owners of more than forty per cent of the protest weight of the property included in the assessment district have not made written objection going to the entirety of the thing or things proposed to be done, or if such objection has been made, by more than forty per cent but not more than sixty per cent, that such objections are overruled by an affirmative vote of four-fifths of the members of the legislative body, and that no objections have been filed which were sufficient to stop the proceedings. Whereupon the assessment district shall be deemed to be established, the boundaries of the assessment district, the location and extent of the zones, if any, and the percentages to be raised therefrom, so determined, shall then be established and prevail for all purposes of the proceeding and until any bonds to be issued for the expenses of the thing or things to be done shall have been fully paid and discharged, and the grades so determined shall be the grades for all the purposes of the proceeding and the improvement to be done thereunder. The findings and determination of said legislative body upon the matters of the extent and boundaries of the assessment district, the zones, if any, into which said district is divided, the percentage to be raised from each of said zones, the grades to which the improvement is to be constructed, the damages to be paid for changes of grades to property owners who fail to object, and the necessity for the acquisition or improvement, or both, comprehended by the proceeding, shall be final and conclusive, and the legislative body conducting the proceedings shall be deemed to have acquired jurisdiction and it shall be their duty to proceed to carry out the purposes as set out in the ordinance of intention and to issue bonds of the said assessment district and to sell said bonds in whole or in part, as they may elect at the times they may elect and in the manner hereinafter provided for sale of said bonds. The amount of bonds to be issued shall equal the estimated amounts for all acquisitions, damages, improvement and incidentals, plus 10% for contingencies. The proceeds of such sale to be credited to the said assessment district and divided among five separate funds which shall be maintained for said district, viz:

1. Acquisition fund.
2. Damage fund.
3. Improvement fund.
4. Incidental fund.
5. Contingent fund.

Except as hereinafter provided, no more of the proceeds of sale or sales of said bonds shall be credited to the acquisition fund, than the total estimated cost of all acquisitions as stated in the ordinance of intention, no more shall be credited to the damage fund than the total of all estimates in said ordinance of intention for damages, and no more shall be credited to improvement fund than the estimated cost of work as made in the ordinance, and no more shall be credited to the incidental fund than the estimated cost of incidentals as made in the ordinance of intention, no more of the proceeds of the sale or sales of said bonds shall be credited to the contingent fund than the proceeds from the sale of the ten per cent excess of said bonds directed to be issued over and above the total of the estimates. It shall be optional with the legislative body conducting proceedings as to which fund shall be credited at any particular time from the proceeds of any sale of bonds provided the limit as above stated shall not be exceeded.

At any time prior to the sale of any of the bonds herein provided for, should it be discovered that the purposes of the proceeding could not be accomplished with the

funds provided, the legislative body shall have the power to adopt a resolution declaring its intention to increase the total amount of bonds. Said resolution of intention shall refer to the proceedings, state the reason for making said increase in bonds, the amount of bonds originally ordered to be issued, the increased amount of bonds, the particular fund or funds herein created to which the proceeds of the additional bonds shall be credited and the amount to each, none of which, however, may be creditable to the contingent fund, and shall fix a day, hour, and place for hearing on increasing the amount of bonds to be issued, which day of hearing shall not be less than thirty days nor more than sixty days from the date of passage of resolution of intention to increase the amount of bonds issued and shall give notice by one publication of said resolution of intention.

Said resolution of intention to increase the amount of bonds issued shall be published once in the manner hereinafter provided at least twenty days before the day of said hearing, and shall contain the following notice:

"Notice is herein given that all persons objecting to increasing the total amount of bonds to be issued in the district (naming it) must file their written objections with the clerk of the legislative body before the day and hour of the hearing."

After the adoption of the resolution of intention to increase the total amount of bonds, the superintendent of work shall cause to be conspicuously posted in the same manner and with the same force and effect as provided in section 8 for the posting of notice of public improvement, a copy of the resolution of intention to increase the total amount of bonds, headed "Notice of Intention to Increase Amount of Bonds", in letters not less than one inch in length.

Property owners objecting to said increase in bond issue may file objections in the form provided in section 9 hereof, and the same weight shall be given to objections filed herein as are given to objections provided for in said section 9.

Upon the date of hearing said legislative body shall determine in the manner provided in said section 9 whether said additional bonds shall be issued or not.

In the event the issuance of said bonds is barred by sufficient objection said proceedings shall be abandoned.

In the event no sufficient objections are filed the legislative body shall by resolution, entered in its minutes so determine and that said additional bonds shall issue and it shall be the duty of said legislative body to cause said bonds to issue as herein provided for the original bonds.

If for any cause the project should be abandoned or when the purposes as stated in the ordinance of intention are fully performed any bonds of the district unsold shall be cancelled and any money remaining in any fund whenever the purposes of said fund are consummated shall be credited to the interest and sinking fund of said district.

It shall be the duty of the legislative body to immediately after the adoption of the final resolution file with the county recorder, the tax collector, and assessor, each a copy of the map of said assessment district showing the zones of benefit and the percentage of benefit in each, and thereupon the bonds to be issued by the proper officers on behalf of said district as herein set forth shall be deemed a lien of record upon all the property in the assessment district each parcel thereof in proportion to its value exclusive of improvements of personal property thereon also in said map.

The legislative body conducting the proceedings shall have power to transfer money from the contingent fund into any other fund in this section created. The legislative body conducting the proceedings shall not have power to let any contract nor obligate the assessment district for any amount exceeding the amount of the estimates for any particular purpose plus any amount ordered transferred from the contingent fund. The total amounts payable by the district shall not exceed the total amount of bonds as provided in the ordinance of intention or in any resolution of intention to increase bonds.

SEC. 12. Having thus acquired jurisdiction, the legislative body may, by resolution, order the thing or things proposed to be done in the ordinance of intention to be done. The resolution ordering the doing of the thing or things proposed to be done may be the same in which all of the final determinations above mentioned are made, or it may be a separate resolution, in which latter case it shall refer to the resolution making said final determination. Neither said resolution ordering the doing of the thing or things proposed to be done nor any resolutions, notices, orders or determinations thereafter made or given in the proceeding need contain a description of the work or improvement to be done or the property to be acquired, and it shall be sufficient in any of the foregoing to refer therein to the resolution of intention for a description of the work or improvement to be done, or the property to be acquired, or both, as the case may be, or the boundaries of the district, the zones, percentages and grades.

The legislative body in charge of proceeding shall by resolution of instruction notify the treasurer of the required amount of bonds to be issued stating exactly the aggregate of the principal thereof, and the term or terms for which same shall run but said resolution of instruction shall not state the date to be borne by said bonds nor the rate of interest which they shall bear. Said resolution shall also state the manner in which the total proceeds from the sale of all of said bonds shall be divided between the various funds of said district.

The treasurer shall hold said notice and from time to time as any of said bonds shall be sold shall keep an account of same and he shall in no case issue more of said bonds than are authorized by said notice.

The legislative body may thereafter at any time by resolution order the sale of any part of said bonds. Upon receipt of such an order certified by the clerk of said body, the treasurer shall offer for sale the amount of bonds ordered to be sold, to be dated, January 2 of the year in which the sale shall take place. If the date of said sale be subsequent to July 2 the first interest coupon shall be detached.

The said bonds shall be sold after advertisement for bids which advertisement shall be published by at least two insertions.

The basis of bidding shall be cash on delivery. No bid less than par and accrued interest shall be accepted. All bids may be rejected. Any bidder may bid on the bonds to bear any rate of interest named in his bid not exceeding seven per cent (7%) per annum, together with any cash premium said bidder cares to offer. The bonds if sold shall be sold to the bidder who offers to take said bonds on the lowest yield basis, premium considered.

If any bonds be sold for an amount in excess of par such excess shall be credited to the interest and sinking fund of the district.

The proceeds of the sale of bonds shall be placed to the credit of such of the funds of the district as the legislative body may by resolution direct; *provided*, that the total credited to any such fund from any sale shall not in addition to all previous credits exceed the total amount creditable to such fund.

The legislative body, if any bid is accepted, shall by resolution entered in its minutes accept the best bid and the said resolution shall fix the date of the bonds to be sold and the rate of interest on said bonds at the rate named in the bid accepted.

If said resolution ordering the doing of the thing or things proposed to be done includes the acquisition of property, the legislative body shall therein direct an action to be brought by the attorney, in the proper superior court, in the name of the county or of the municipality for which the legislative body conducting the proceedings functions, as the case may be, for the condemnation of the property necessary or convenient to be taken therefor. If said resolution orders work or improvement to be done, the legislative body shall therein fix a time for receiving bids for doing said work or improvement and direct the clerk thereof to give notice accordingly, inviting sealed bids, and shall fix the terms on which payments in cash are to be made, on account of work as it progresses. In no case shall such progress payments exceed seventy-five per cent of the estimated amount of work completed.

SEC. 13. Such notice inviting bids shall state the terms on which payments in cash are to be made on account of said work as it progresses; *provided, however*, that in no case may such payments exceed seventy-five per cent of the estimated amount of work completed, and shall include a statement that the work or improvement is to be done under the provisions of this act, and according to the plans and specifications on file therefor, to which said act, to the ordinance of intention and all proceedings had hereunder, the attention of the bidders shall be directed, and they shall by reference be made a part of said notice. Said notice inviting sealed bids shall by the clerk of said legislative body, be published by at least two insertions and, not necessarily simultaneously, a copy of the same shall be posted and kept posted for five days at or near the chamber door of said legislative body. The time fixed for receiving said bids shall be not less than ten days from the time of the first publication of said notice. All bids offered shall be accompanied by a check payable to the county or municipality, as the case may be, certified by a responsible bank, for an amount not less than ten per cent of the aggregate of the bid, or by a bond for said amount and so payable, signed by the bidder and one duly authorized corporate surety, acceptable to said legislative body. Said bids shall be delivered to the clerk of said legislative body and said legislative body shall, in open session, publicly open, examine and declare the same, and no bids shall be considered unless accompanied by said check or such a bond satisfactory to said legislative body. Said legislative body may reject any and all bids should it deem this for the public good, and also the bid of any bidder who has been delinquent or unfaithful in any former contract with said county or municipality, as the case may be, and shall reject all bids other than the lowest regular bid of any responsible bidder, and may award the contract for said work or improvement to the lowest responsible bidder at the prices named in his bid. If all bids are rejected or no bids are received the legislative body may thereafter readvertise for bids as in the first instance, without further proceedings, and as many times thereafter as it deems necessary until a satisfactory bid has been received, and thereafter proceed in the manner in this section above provided and shall thereupon return to the proper parties their respective checks and bonds covering the bids so rejected. The check or bond accompanying the accepted bid shall be kept by the clerk of said legislative body until the contract for doing said work or improvement, as hereinafter provided, has been entered into. If said bidder fails, neglects or refuses to enter into the contract to perform said work or improvement, as hereinafter provided, then the certified check accompanying his bid and the amount therein mentioned shall be declared forfeited to said county or municipality, as the case may be, and may be collected



by it and paid into its general fund, and any bond forfeited may be prosecuted, and the amount due thereon collected and paid into said fund.

SEC. 14. Notice of such award of contract shall be published by the clerk of said legislative body by two insertions and posted for five days in the same manner as hereinbefore provided with respect to the publication and posting of the notice inviting bids.

SEC. 15. If the bidder to whom the contract was awarded fails, neglects or refuses, for twenty days after the first publication of the notice of award, to enter into the contract, then said legislative body, without further proceedings, shall direct its clerk to give a new notice inviting sealed bids and thereupon said legislative body shall proceed as in the first instance, and as in the case of default of the first awardee, so also in the event of subsequent defaults, and any delay occasioned thereby shall in no way affect the validity of the proceedings or any assessments levied thereunder. The bids of all bidders who have failed to enter into the contract as herein provided may for that reason be rejected in any bidding subsequent to the first for the same work.

SEC. 16. At any time within ten days from the date of the passage of the final resolution any owner of, or other person having any interest in any parcel of land within the boundaries of the assessment district, who claims that any of the previous acts or proceedings relating to the work or improvement are irregular, defective, erroneous, faulty, or invalid, for any reason, may file with the clerk of the legislative body a written notice specifying in what respect said acts and proceedings are irregular, defective, erroneous, faulty, or invalid. Said notice shall state that it is made in pursuance of this section. All objections to any acts or proceedings relating to the improvement prior to the time within which such objections are permitted by this section to be filed, not made in writing and in the manner and at the time aforesaid, shall be waived. It is the intent of this section that any person failing to file such notice within the time specified shall be deemed to have intentionally waived every objection to the regularity or validity of such acts or proceedings and he shall be estopped from thereafter raising the same.

SEC. 17. The superintendent of work is hereby authorized, in his capacity as such superintendent of work, to execute the contract with the awardee of the same, and to receive and approve all bonds by this act required on the part of such awardee. He shall, by the terms of said contract, fix the time for the commencement of the work or improvements, which shall not be more than twenty days from the date thereof, and for the completion of said work or improvement under all contracts entered into by him, and the contract shall provide that the work shall be prosecuted with diligence until completed. The time of completion fixed in the contract may be extended from time to time by said superintendent of work, under the direction of the legislative body expressed by resolution, a copy of which shall be certified by the clerk of said legislative body and attached to the contract. Such extension of time may be granted by the legislative body at any time before the expiration of three months after the time originally fixed for completion in the contract or by the last previous extension of time, and the extension so granted shall be deemed to commence and be effective from the date of such expiration. Any such extension of time shall not release any surety or sureties upon any bond required under this act.

Said contract shall provide that the work or improvement to be done shall be under the direction and to the satisfaction of said superintendent of work, and that the materials used shall comply with the specifications and be to the satisfaction of said superintendent of work, and shall undertake on behalf of the county or municipality, as the case may be, that, upon the performance and completion of certain portions of the contract on the part of the contractor as in the notice inviting bids specified, payments will be made on account as in said call enumerated and that upon final completion and acceptance the balance of the contract price will be paid. Said contract shall also contain an express notice that in no case, except where it is otherwise provided by law, or the charter of the county or municipality whose legislative body is conducting the proceedings, as the case may be, shall the county or municipality, as the case may be, or any officer thereof, be liable for any portion of the expense or be held under said contract in any way except for the discharge of official duty under the law, nor shall said county or municipality as the case may be, be liable for any materials or sums of money except those which the ordinance of intention shall provide will be furnished or paid.

SEC. 18. If, after the execution of the contract, the contractor shall fail to begin the work in good faith within the time provided in said contract, or shall fail at any time thereafter to prosecute said work diligently according to the terms of the contract the superintendent of work shall make a report to the legislative body setting forth wherein the contractor is in default. Thereupon the legislative body shall cause written notice to be mailed to said contractor at his last known address that at a time to be stated in the notice and which must be not less than five days after the mailing of the notice, said body will hold a hearing to determine whether or not the contract shall be declared forfeited.

At the time stated in said notice, or at any time to which the matter may be continued the legislative body shall determine whether or not the contractor is in default either in respect to beginning said work or in respect to its diligent prosecution.

If said body determines that the contractor is in default it may declare the contract forfeited. In such event it shall either again call for bids and award the contract as provided heretofore for awarding the contract in the first instance, or it may declare the county or municipality, as the case may be, the successor of the contractor.

If bids are again called for and a new contract entered into at a price greater than that in the contract declared forfeited, suit shall be brought on the bond of the original contractor for an amount equal to the excess of the second contract over the first, plus the incidental expenses incurred in entering into the new contract. The sum recovered shall be placed in the interest and sinking fund of the district.

If the county or municipality be declared the successor of the contractor, the work shall be completed under the direction of the legislative body at the expense of the county or municipality, as the case may be, either by contract or in any other manner determined upon by its said legislative body. When the work or improvement is completed the declaration of completion in this act provided to be executed and filed by the contractor and superintendent of work shall be executed and filed by the superintendent of work alone and thereafter the proceedings required for a hearing thereof shall be had, following the provisions elsewhere contained in this act controlling said matters. If the cost of so completing the contract including all incidentals shall be less than the balance unpaid on the original contract the difference shall be paid to the original contractor, but if it exceeds such balance, suit shall be brought on the bond of the contractor for an amount sufficient to reimburse said county or municipality.

SEC. 19. The legislative body may, by resolution or ordinance, prescribe general rules directing the superintendent of work or the contractor as to the materials to be used and the mode of executing the work, under all contracts thereafter made.

The legislative body at any time after the adoption of the final resolution establishing any assessment district, may order changes in the grade; *provided*, all property owners in front of whose property such changes are to be made give their written consent thereto and waive all claims for damages on account of such changes.

The legislative body shall also have power subsequent to the adoption of said final resolution to order changes in the plans, profiles, cross sections, and specifications for the improvement, by adopting an ordinance of intention so to do and advertising a hearing thereon in same manner as for the original ordinance of intention for the formation of the district and the method of conducting the hearing shall be the same and also the determination reached in the same manner and on the same basis of protest.

SEC. 20. All contractors shall, at the time of executing any contract hereunder, execute a bond to the satisfaction and approval of the superintendent of work, running to the county or municipality, as the case may be, in an amount not less than twenty-five per cent of the amount of the contract, conditioned for the faithful performance of the contract, and said bond shall be signed by a duly authorized and acceptable corporate surety.

SEC. 21. As soon as may be done in good faith, there shall be filed with the clerk of the legislative body conducting the proceeding a declaration that the work has been completed according to the contract therefor. The said declaration shall be signed and verified by the superintendent of work and by the contractor, or some person cognizant of the facts signing on behalf of the contractor and stating why he, instead of the contractor, so signs and verifies. Either signer may except from his signature and verification any items to which he does not assent. The legislative body conducting the proceeding is hereby authorized to and shall thereupon fix a day, hour and place and direct the clerk thereof to give notice of a hearing for the purpose of determining whether or not the work and improvement shall be accepted as being completed according to the contract, and of furnishing an opportunity to all persons interested in any work or improvement done under the proceeding or in any matter affecting said improvement and the assessment district therefor, claiming that the work or improvement has not been performed according to the contract in a good and substantial manner, or claiming that any portion of the work or improvement was omitted, to appear before the legislative body and by it be heard upon any of the above mentioned matters. The time fixed for said hearing shall be not sooner than ten days from the date upon which it is fixed. Such hearing shall be known as the final hearing upon the improvement. The notice of such hearing may, in form, and shall, in substance (filling all blanks as appropriate), be as follows:

Notice of Final Hearing Upon the Improvement in the Matter of Acquisition and Improvement District No. \_\_\_\_ of the County (or City) of \_\_\_\_\_.

Notice is hereby given that the final hearing in the matter of the improvement made in the above named district will be had at the hour of \_\_\_\_m. on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the chambers of the \_\_\_\_\_ (designating the legislative body) of the county (or city) of \_\_\_\_\_ (naming the county or municipality), State of California, under the provisions of section 22 of the "Acquisition and improvement act of 1927," for the purpose of determining whether or not the work and improvement shall be accepted as being completed according to the contract, and of furnishing an opportunity to all persons interested in any of the work or improvement done under the proceeding, or claiming that the work or improve-

ment has not been performed according to the contract in a good and substantial manner, or claiming that any portion of the work or improvement was omitted in the contract for the same, to appear before said legislative body and by it be heard upon any of the above mentioned matters.

The attention of all persons interested is hereby directed to the provisions of said act and to the proceedings in the above named matter and district, and particularly to the above mentioned declaration and statement, on file in the office of the clerk of the ----- (designating the legislative body) of the county (or city) of ----- (naming the county or municipality).

-----  
Clerk of said -----  
(Designating said legislative body.)

Said notice shall be signed by the clerk of the legislative body conducting the proceedings and shall be published by at least two insertions, and a copy or copies thereof posted and kept posted for at least two days on or near the chamber door of said legislative body. The date of the first publication and that of such posting (they need not be simultaneous) shall not be less than ten days before the date in said notice specified for said hearing.

SEC. 22. At the time set for said hearing any owner of property within the district, the contractor, or his assigns, and any other person or persons interested in the matter, may appear and be heard upon any of the matters referred to in the last preceding section. Protests or objections may be presented either in writing or orally and the hearing of the said matters may be continued from time to time upon the order of the legislative body. Evidence may be adduced going to any of the matters to be determined and in such order as the legislative body may summarily direct.

If, when the matters have been fully heard, whether under or in the absence of any objection claiming that the work or improvement has not been performed according to the contract in a good and substantial manner, the legislative body is of the opinion that said work or improvement has not been so completed, it shall in writing specify what must be done in order to complete the work, and shall, by an order or resolution to be entered in its minutes, continue the further hearing of the whole matter to a specified date, expressly stating that such continuance is for the purpose of enabling the contractor to complete the contract.

On said continued hearing the objections presented upon the first hearing shall continue in force, and evidence shall be received, if offered, as to what has been done in the way of completing the contract in the particulars specified in the order of the legislative body on the said continuance of the hearing. If, upon said continued hearing, it is the opinion of the legislative body that the work is still uncompleted in the particulars as to which it has been ordered to be completed, it shall be discretionary with said legislative body to order or refuse a second continuance of the hearing. If the legislative body do order such second continuance, it shall be ordered in the same manner and with like effect as provided aforesaid upon the first continuance. And as provided aforesaid for a second continuance, so with any other or further continuance.

All other objections shall pend and be heard on said day, or at any continued hearing had as in this section aforesaid provided. Every continuance of said hearing for the purpose of enabling the contractor to complete his contract or the work or improvement shall continue or revive such powers of the legislative body had under the provisions of this act in the proceedings at the time of the filing of the declaration that the work was completed, as provided aforesaid, and shall also operate to extend the time for the completion of said contract in such manner that its completion within the time to which the hearing is continued shall be as valid a performance of said contract as if completed at the time of filing such declaration or statement. All objections to any of the matters to which objection may be made at said hearing not made and presented before said legislative body at the time of said hearing or at any time to which the same may be continued shall be waived.

SEC. 23. Whenever upon the hearing provided in the two preceding sections, whether at the first or at any continued hearing, it shall be the opinion of the legislative body that the work has been completed and performed according to the contract in a good and substantial manner, said legislative body shall by resolution to be entered upon its minutes so declare and that the work is accepted.

Immediately after the adoption of said accepting the balance of the amount or amounts, which were agreed to be paid to the contractor by the county or municipality shall be paid to said contractor, less the amount of any incidental expenses chargeable to and not paid by the contractor. Any amount so deducted shall be credited to the fund against which any such incidental expenses were charged.

SEC. 24. If the resolution ordering the thing or things proposed to be done in the proceeding included the acquisition of property and directed an action to be brought for the condemnation thereof, the attorney shall proceed to bring said action, which action shall be commenced within a period not exceeding one hundred and eighty days from the date of the adoption of said resolution directing the bringing of the same. Said action shall in all respects be subject to and governed by such



provisions of the Code of Civil Procedure now existing or that may be hereafter adopted as may be applicable thereto, except in the particulars otherwise provided for in this act.

In the event that an action has theretofore been brought by the attorney in the name of the county or municipality whose legislative body is conducting the proceeding, as the case may be, for the condemnation of the property necessary or convenient to be taken in such acquisition, under authority of law and prior to the adoption of the resolution ordering the acquisition to be made, as provided in this act, then and in that event, the resolution ordering the acquisition may refer to said action and direct the attorney to continue the prosecution of the same, and said action shall then have like effect and be in lieu of and serve all the purposes of the action herein referred to, in so far as the property to be acquired is included in said former action, and shall thereafter be carried on in the same manner and subject to the provisions hereinafter stated; *provided*, that the complaint in said action shall set forth or state the effect of the ordinance of intention in such proceeding but need not set forth nor state the effect of the resolution ordering the acquisition. In the event that the complaint in said action shall for any reason omit to state the effect of the ordinance of intention in said proceeding, said complaint may be amended as of course to set forth said matters at any time before trial and shall thereupon satisfy the requirement as to reference to the ordinance of intention.

SEC. 25. The complaint shall set forth, or state the effect of, the ordinance of intention, and the resolution ordering the acquisition (except as provided in the preceding section), or so much of same as affect the acquisition contemplated (if both acquisition and improvement are comprehended in the proceeding), but need not set up any other proceedings had or taken before the bringing of the action. Said ordinance and resolution shall be conclusive evidence, in such action, of the public necessity of the proposed acquisition and the improvement thereby affected, and that the property sought to be condemned is necessary therefor, and also that the same is located in the manner which will be most compatible with the greatest public good and the least private injury.

SEC. 26. If the legislative body conducting the proceeding shall by resolution determine that the public necessity and convenience require, the plaintiff in the action ordered by said body, or the plaintiff in any action theretofore brought for the condemnation of property necessary or convenient to be taken in the acquisition contemplated, may, at any time after the filing of such complaint or complaints, take immediate possession and use of all or any portion of the property sought to be condemned therein, by giving such security in the way of money deposits as the court in which the proceedings are pending may direct, and in such amount or amounts as the court may determine to be reasonably adequate to secure to the owner of the property sought to be taken immediate payment of just compensation for such taking and any damage incident thereto, as soon as the same can be ascertained according to law. Upon obtaining an order of the court giving such immediate possession and use, the contractor for any improvement contemplated in the proceeding, whose contract includes work or improvement upon any or all of the property covered by such order of court for immediate possession and use, shall have the right to enter upon and construct thereon the improvements included in the contract.

The county or the city, as the case may be, shall have power to and may advance such amount or amounts as are required by the court to be deposited to obtain such immediate possession and use, and reimburse the treasury from the sale of bonds thereafter issued under the proceeding. Such amount or amounts may be so advanced from either the general fund or from any fund available for the purchase or acquisition of public ways or property. Said deposits required by the court may also be made from the revolving fund or funds created and administered as in this act provided.

SEC. 27. When all parties defendant to the action have answered or have been served with summons and their default entered, the plaintiff or any party defendant to the action whose default has not been so entered may, upon five days notice to the parties, except those in default, move the court to set the action for trial. If, upon the hearing of such motion a trial by jury or by the court without a jury is not demanded by the defendants, or any of them, or by the plaintiff, such trial shall be deemed to be waived, and the court must appoint three disinterested persons referees to ascertain the compensation to be paid to said defendants so waiving trial by jury, or by the court without a jury. Such referees must be residents of the county in which the action is commenced and over the age of twenty-one years and must take and file with the court an oath to discharge their duties faithfully and impartially. If any of such referees fails to qualify, or resigns, or is removed by order of court, or is or becomes unable to act, the vacancy so created shall be filled by the court.

SEC. 28. The referees shall at once proceed to view the lands sought to be condemned, and ascertain the compensation proper to be paid to such of the parties interested in each parcel thereof as have waived a trial by jury or by the court. They shall have power to examine witnesses under oath, to be administered by any of

them, and may have subpoenas issued by the clerk of the court, requiring the attendance of witnesses, or the production of evidence before them. They shall make and file with the court a written report of their findings and of the necessary expenses, within thirty days after the date of their appointment; *provided, however*, that the time so allowed may be extended upon good cause shown, by the court or judge thereof, but such extension shall not exceed one hundred and twenty days; and *provided, further*, that if any vacancy in the referees is created and filled as heretofore provided in this act, or if new referees are appointed, or if a new report from the same referees is ordered, as hereafter provided, the time herein specified for the filing of such report shall be deemed to be thirty days from the date of the order filling such vacancy, or appointing new referees, or ordering the new report from the same referees, and said time may be extended accordingly, as above provided. Any two of such referees who agree thereto may make such report.

SEC. 29. For the purpose of assessing the compensation and damages, the right thereto shall be deemed to have accrued at the date of the issuance of summons, and its actual value at that time shall be the measure of compensation for all property to be actually taken, and the basis of damages to property not actually taken but injuriously affected, in all cases where such damages are allowed by the provisions of this act; *provided*, that in any case in which the issue is not tried within one year after the date of the issuance of summons, unless the delay is caused by the defendants, the compensation and damages shall be deemed to have accrued at the date of trial, and its actual value at that time shall be the measure of compensation.

If an order of the court be made letting plaintiff into immediate possession and the plaintiff shall take immediate possession upon commencing eminent domain proceedings and thereupon giving such security, in the amount of money deposited as the court may determine to be reasonable to secure compensation to the owner, as provided in section 14 of article I of the constitution of this state, then the compensation and damages awarded shall draw interest at the rate of seven per cent per annum from the date of such order.

No improvements placed upon the property proposed to be taken subsequent to the date of the publication of the ordinance of intention in the proceeding shall be included in the assessment of compensation or damages.

The referees, or the court, or the jury, as the case may be, shall find separately:

First: The value of each parcel of property sought to be condemned, and all improvements thereon pertaining to the realty, and of each separate estate or interest therein;

Second: If any parcel of property sought to be condemned is only a part of a larger parcel, the damages which will accrue to the portion not sought to be condemned, and to each separate estate or interest therein, by reason of the severance therefrom of the portion sought to be condemned, and the construction of the improvement in the manner proposed by the plaintiff. Such damages must be fixed irrespective of any benefit from such improvement.

SEC. 30. Upon filing of the referees' report, the court may, upon motion of any party, appoint a date for hearing the same, not less than twenty days thereafter. Notice of the time and place of said hearing must, at least ten days before the time so appointed, be served on all other parties except those whose default has been entered. The plaintiff, or any defendant who has answered, may file exceptions in writing to said report, specifying the grounds upon which such exceptions are based, at any time not later than one day prior to the hearing, and any such party so filing exceptions to said report may appear at the hearing of said report and contest the same. In addition to the notice hereinbefore provided, the clerk of the court must give notice of the filing of said report and of the time and place appointed for the hearing of the same to all persons owning or having any interest in any property included within the assessment district described in the ordinance of intention, by causing said notice last mentioned to be published by five insertions in a daily newspaper published and circulated in the county; and, if there be no such daily newspaper, then by two insertions in a newspaper published less often than daily and circulated in the county. Any publication of such notice shall commence at least ten days before the time appointed for the hearing of said report. Said notice shall require all persons owning or having any interest in any property included within said assessment district to intervene in said action and file in the office of the clerk of said court his exceptions in writing to said report, if any he has, specifying the grounds upon which such exceptions are based. Said notice need not contain a description of said assessment district but may refer thereto to the ordinance of intention, giving the date of the adoption of said ordinance and the place where the same is on file. At any time not later than one day prior to the hearing, any person, not a party to the action, owning or having any interest in any property included within said assessment district may intervene in the action and file his objections in writing to said report, specifying the ground upon which such exceptions are based; and any person so intervening may appear and contest the said report, and introduce evidence in support of such exceptions. After hearing the report and any exceptions thereto, the court may confirm the report, or may modify it and confirm it as modified, or may set it aside and may order a new report from the same referees or from new referees to be appointed. If new referees are appointed, the same proceedings and the same qualifications shall apply and the same proceedings shall be had as upon the first reference.

If there be a trial of the action by a jury, or by the court without a jury, the clerk of the court must give notice of the time and place of such trial to all persons owning or having any interest in any property included within said assessment district. Said notice shall be published in the same manner and for the same time as the notice theretofore in this section required to be given by said clerk, and shall require all persons owning or having any interest in any property included within said assessment district to intervene in said action, and to appear at the trial thereof and introduce evidence relative to the compensation and damages to be awarded to the defendants therein. At any time not later than one day prior to the trial any person not a party to the action, having any interest in any property included within said assessment district may intervene in the action and, upon the trial thereof, may appear and introduce evidence relative to the compensation and damages to be awarded to the defendants therein. The cost of the publication of the notices required by this section shall be paid by the plaintiff and allowed as costs in the action.

When a time has been appointed for hearing the report of the referees, or for the trial of the action, and notice thereof has been given by the clerk by publication as in this section provided, if the hearing or trial be postponed or continued by the court to any subsequent day, no further notice need be given by the clerk of the hearing or trial upon any such postponement or continuance.

SEC. 31. Upon the confirmation of the report of the referees, or receipt of the verdict of the jury, or filing of the findings of the court, the court shall make and enter an interlocutory judgment in accordance with such report, verdict or findings, adjudging that upon payment to the respective parties, or into court for their benefit, of the several amounts found due them as compensation, and of the costs allowed to them, the property involved in the action shall be condemned to the use of the plaintiff, and dedicated to the use specified in the complaint. The court shall allow to the referees, as costs to be paid by the plaintiff, a reasonable compensation for their services, the amount of which compensation shall be fixed by the court upon the hearing of the report, together with their necessary expenses.

SEC. 32. An appeal may be taken from such interlocutory judgment within thirty days from the entry thereof, and from any order granting or denying a new trial within ten days from the entry thereof.

SEC. 33. The legislative body of the plaintiff may, at any time prior to the payment of the compensation awarded the defendants, abandon the proceedings by resolution and cause the said action to be dismissed, without prejudice; *provided, however*, that in cases where immediate possession and use of the property to be condemned, or a portion thereof, has been taken, as provided in this act, the proceedings for the acquisition can not be abandoned, nor the said action dismissed, unless and until the county or municipality whose legislative body is conducting the proceedings, and which is plaintiff in the action, shall first compensate the owners of property over which such possession and use has been taken for all damages occasioned thereby, and such county or municipality shall be liable for such damages.

SEC. 34. As soon as there is sufficient money in the hands of the treasurer, in the special fund to defray the expenses of the acquisition, to pay the amounts including costs awarded to the defendants by the interlocutory judgment in the action in condemnation, together with interest thereon at rate of seven per cent per annum from the date of the interlocutory judgment the said amounts including costs shall be paid to the parties entitled thereto, or into court for their benefit. Upon satisfactory proof being made to the court of payment of the amounts awarded by the interlocutory judgment or judgments to the respective parties entitled thereto, including costs awarded, or into court for their benefit, it shall direct the interlocutory judgment to be satisfied and shall make and enter a final judgment condemning the lands described in the complaint to the use of the plaintiff, for the uses specified in such complaint.

SEC. 35. The bonds issued under and in pursuance of this act may in form and shall in substance (using designations and filling blanks as appropriate under the proceedings) be as indicated following, to wit:

#### ACQUISITION AND IMPROVEMENT DISTRICT BOND.

Acquisition and improvement district number-----of the county (or city) of-----, State of California.  
\$-----

Bond No. -----  
Series of -----

Under and by virtue of an act of the Legislature of the State of California, known as the "Acquisition and improvement act of 1927," the county (or city) of-----, State of California, will pay to the bearer, out of the fund hereinafter designated, at the office of the treasurer of said county (or city), on the second day of January, 1-----, the sum of-----dollars in gold coin of the United States of America, with interest thereon in like gold coin at the rate of-----per cent per annum, payable semi-annually on the second day of January and the second day of July in each year from the date hereof until called, upon presentation and surrender, as they respectively become due, of the proper interest coupons hereto attached.



This bond is issued under and in conformity with the provisions of the above mentioned "Acquisition and improvement act of 1927" and is one of a series authorized by the provisions of said act and commenced in the proceedings had for the above named district. It is hereby certified, recited and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed, and this bond is by law made conclusive evidence thereof.

This bond is payable out of the "Acquisition and improvement district number \_\_\_\_\_ of the county (or city) of \_\_\_\_\_ interest and sinking fund" exclusively, as the said fund appears upon the books of the treasurer of said county (or city) and neither said county (or city) nor any officer thereof shall be helden for its payment otherwise; but in accordance with the provisions of said act a special assessment tax will be levied and collected upon the lands in said district in an amount clearly sufficient to pay the principal and interest of said bonds as the same shall become payable.

This bond is callable and payable on or after five years from its date on January second of any year at par plus five per cent and accrued interest. Notice of its call will be given by mail to the purchaser at his address last known to the treasurer or to any succeeding holder of whose name and address the treasurer has been notified. After notice of call so given no further interest coupons from this bond will be honored.

In witness whereof, the \_\_\_\_\_ (here designate the legislative body) \_\_\_\_\_ of the said county (or city) has caused this bond to be signed by the treasurer of said county (or city), and the seal of \_\_\_\_\_ (here use the words "the board of supervisors of said county" or the words "said city," as the case may be) \_\_\_\_\_ to be hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

[SEAL]

Treasurer of the county (or city) of \_\_\_\_\_, State of California.

The designation of the district by its name and number set forth at the top of the bond shall be sufficient to identify and distinguish each and all of the bonds thereof from any other issue.

SEC. 36. The bonds shall be divided into as many series as there will be years between the year in which the first bonds are to be due and the year in which the last bonds will be due.

Each of said series shall contain an equal par value of bonds except one which shall contain any fractional margin of par value smaller than that of other series which may be necessary to make the exact total of par value to be issued. The denominations of bonds shall be in multiples of one hundred dollars except one bond which may be for a fractional part of one hundred dollars in order to balance the exact total to be issued; provided, that no bond shall be of denomination greater than one thousand dollars. The successful bidder for said bonds shall be privileged to designate in his bid the denominations in which said bonds are to be issued. Each series shall be named for the year in which it will become due beginning with the year when the first bonds are to be paid and continuing successively to the year when the last bonds shall be due. The bonds of each series shall be numbered from one up consecutively.

All bonds issued under this act shall be signed by the treasurer of the county or municipality whose legislative body conducts the proceeding and shall have the seal of the board of supervisors of the county or the seal of the city, as the case may be, thereto affixed, and when so signed shall be binding according to the terms thereof as prescribed in the above form therefor. The interest coupons attached to said bonds shall be in such form as the said treasurer shall determine, subject to the provisions of this act and the determination made by the legislative body, and the signature of said interest coupons by said treasurer, by either written or engraved or printed facsimile signature shall be sufficient.

The principal and interest of the bonds issued under this act shall be payable in gold coin of the United States of America at the office of the treasurer issuing the same. The legislative body is hereby vested with power to determine and shall in the ordinance of intention determine the number of years, not to exceed thirty, after the issuance of any bonds issued, within which the aggregate principal of all the bonds to be issued in any proceeding under this act shall be paid and discharged, and to fix the rate of interest, not to exceed seven per cent per annum, payable semiannually, to be paid thereon, and it shall be a sufficient determination and fixing of the same to set forth in the ordinance of intention that bonds will be issued for the expense of the things to be done in any language that will fairly indicate such time and such rate. It may be provided in said ordinance that the first series of bonds shall become due either one, two, three, four or five years after the date of said bonds.

The interest payments on said bonds shall be payable semiannually on the second day of January and the second day of July of each year. It shall not be necessary, either in the ordinance of intention or otherwise, to set forth or determine the days

of the month on which payments of interest are to be made, nor that payments shall be made in gold coin, nor that payments shall be made at such treasurer's office, but all persons are charged with notice of the contents of this section, especially in the aforesaid particulars.

Sec. 37. In December of each year, four years or more after the adoption of the final resolution establishing any district under this act, any person, having paid all taxes payable on any land in said district, desiring to have said land relieved of the lien of the bonds of said district, may first obtain from the assessor a certificate showing:

- A. The legal description of the property proposed to be relieved;
- B. The assessed land value thereof for the current fiscal year;
- C. The percentage of benefit for the zone in which the property is located;
- D. The sum of the multiplicands obtained by multiplying the total assessed land value, in the same fiscal year, in each of the zones of benefit in said district, by the percentage of benefit in the same zone.

It shall be the duty of the assessor to furnish such certificate upon request of any property owner and payment of a fee of fifty cents. Said certificate shall then be presented to the tax collector who shall certify as to whether the current year's taxes are fully paid.

The treasurer upon receipt of said certificate and payment of a fee of fifty cents, if said current year's taxes have been paid, shall accept as full payment of said release of the bonds of said district upon the land described, a sum which shall equal one hundred five per cent of the proper proportion of the whole amount of balance of said bonds either outstanding or remaining still unsold but not cancelled.

The proper proportion being such portion of said balance of said bonds as shall bear the same proportion to the whole of said balance as the assessed land value as certified to by the assessor, multiplied by the percentage of benefit for the zone in which said property is located, bears to the sum of the multiplicands as certified to by the assessor.

The treasurer shall give a receipt in quadruplicate for said payment containing the legal description as given on the certificate of the assessor.

It shall be the duty of the recorder upon presentation of said receipts and payment of fee of twenty-five cents to mark the property described "released" upon the map of the district and thereafter it shall be treated as being in a zone of zero benefit. The recorder shall then return one receipt to the payor, retain one for his own files and forward one to the assessor and one to the tax collector.

The treasurer upon receipt of the payment as herein provided shall credit the amount to the interest and sinking fund of said district but shall keep separate account of the amount so paid in and shall on the second day of January of each year call bonds of said district in an amount as nearly as possible corresponding to the total of such payments made during the December preceding and shall pay for same out of said interest and sinking fund. The bonds so called must be those of the highest consecutive number regardless of series, except that none shall be called which would fall due sooner than two years after the date of call and if there be more than one bond outstanding having the same highest number then the one of the earlier series shall be called.

Sec. 38. For each district in which bonds have been issued under the provisions of this act a special fund to be named "Acquisition and improvement district number \_\_\_\_\_ of the county (or city) of \_\_\_\_\_ interest and sinking fund" (the number to be that of the district) for the discharge and payment of such bonds, and interest thereon, shall be constituted by the county or municipality (as the case may be) whose legislative body has conducted the proceedings, as follows, to wit: There shall each year, at the time of the general tax levy for state and county taxes, or at the time of levying taxes to be collected for general municipal purposes, as the case may be, be levied against and upon all the lands within said district (including any land which is the operative property of any public utility, and including any lands belonging to any county, municipality, district, public agency, mandatory of the government, school board, educational, penal or reformatory institution or institution for the feeble minded or insane, whether being used in the performance of a public function or not, unless declaration was made in the ordinance of intention omitting any of said lands from the assessment to be made; but not including any lands belonging to the United States government or to the State of California) according to the assessed valuation of said lands, exclusive of any improvements thereon, a special assessment tax in an amount clearly sufficient, together with any moneys which are or may be in said fund, to pay all the principal which has become or will become due and all interest which has become or will become payable on the bonds issued under the proceeding before the proceeds of another tax levy made at the time of the general tax levy for state and county purposes, or at the time of another levy of taxes to be collected for general municipal purposes (as the case may be), can be made available for the payment of said principal and interest. If the said district has been divided into zones and the percentage of benefits in each such zone has been determined, as provided in this

act, in that event the said amount of said special assessment tax to be levied shall be divided according to said percentages and the percentage to be raised from the lands in each zone shall be levied against and upon the lands therein as above provided. Such special assessment taxes shall be in addition to all other taxes levied for state and county purposes, or for municipal purposes (as the case may be), and shall be levied, computed, entered, collected and enforced in the same manner and by the same persons and at the same time and with the same penalties and interest as are other taxes for state and county purposes, or for municipal purposes (as the case may be), and all laws applicable to the levy, collection and enforcement of taxes for state and county purposes or for municipal purposes (as the case may be) are hereby made applicable to said special assessment taxes. It shall be the duty of the county assessor to assess, exclusive of any improvements thereon, all lands (if any there may be in any assessment district formed under this act) not otherwise assessed for purposes of general county taxes or general taxes of a municipality, against which such special assessment taxes are to be levied and collected as aforesaid. In the event that there is included within the assessment district any land belonging to any county, municipality, district, public agency, mandatory of the government, school board, educational, penal or reformatory institution or institution for the feeble minded or insane, and which is being used in the performance of a public function, and no declaration was made in the ordinance of intention omitting such land from the assessment to be made, the amount of the special assessment tax levied each year against said land, as above provided, shall be an enforceable obligation against the owner of or the governing body controlling said land, and it shall be the duty of the officer or body having charge of the disbursement of the funds of the owner of said land to pay the amount of said special assessment tax levied, from any of the funds thereof available, immediately upon its becoming due. If for any reason there are no moneys in any of such funds then the county or municipality (as the case may be) conducting the proceedings shall pay said special assessment tax against said land and the said owner or governing body controlling said land shall reimburse said county or municipality immediately upon the receipt of sufficient moneys in any of its available funds. In all cases where sufficient funds are not available to make such reimbursement before the time of another tax levy the board or officers whose duty it is to levy taxes for said owner shall include in the next tax levy an amount, in addition to moneys for all other purposes, sufficient to reimburse said county or municipality.

The legislative body of the county or municipality (as the case may be) conducting the proceedings may annually, at the time of making said tax levy, transfer from the general fund of such county or municipality, or from any fund which may be used for acquisitions or improvements of a similar character as those made under the proceeding, to the interest and sinking fund above provided for such amount as in the judgment of said legislative body should be transferred. It is the intention of this provision that further assistance, in addition to that, if any, provided for in the ordinance of intention and that which may be given as elsewhere provided in this act, may be given by the county or municipality toward the payment of the expenses of the thing or things done under the proceedings after bonds for said expenses shall have been issued and sold, and apart from the loans, and apart from the advances under the revolving fund elsewhere in this act provided for.

In any event it shall be the duty of said legislative body to levy a special assessment tax upon all of the said lands within such district, sufficient to pay the principal and interest of said bonds as the same shall become payable, and said legislative body is hereby vested with power and jurisdiction to do all and singular the things which in this section aforesaid it is declared shall be done. Whenever any of said bonds or any payment of principal or interest thereon shall become due and there shall not be sufficient money in said interest and sinking fund to pay the same the legislative body may, pending the levy and collection of a special assessment tax therefor, order the amount of money necessary to pay said bonds or payment of principal or interest so falling due to be transferred from the general fund of the county or municipality, as the case may be, to said interest and sinking fund, and the amount of money so transferred shall be deemed a loan to said interest and sinking fund and shall be repaid to the general fund from the first money coming into said interest and sinking fund thereafter. Any money remaining in or accruing to any acquisition and improvement district interest and sinking fund after all of the bonds of the district have been retired shall be transferred to the general fund of the county, or municipality, as the case may be, whose legislative body has had jurisdiction over the proceeding and by said body returned to the property owners of each of the zones in said district in the way of a credit upon their general tax rate on the land value exclusive of improvements, which credit shall in the several zones be proportioned to the percentages of benefit established therefor.

SEC. 39. All bonds issued in pursuance of the provisions of this act shall by their issuance be conclusive evidence of the regularity, validity and legal sufficiency of all proceedings, acts and determinations in any wise pertaining thereto, had or made under this act, and after the same are issued no tax levied or collected for the purpose of paying the principal or interest on said bonds shall be held to be invalid



or illegal, or set aside or refunded, by reason of any error, informality, irregularity, omission or defect in any of the proceedings, acts or determinations in any wise pertaining to the issuance or payment of said bonds, nor shall any action or proceeding be thereafter commenced or maintained to cancel or set aside said bonds or to prevent the payment thereof or the levy or collection or enforcement of a tax for such payment.

SEC. 40. The legislative body of any county or municipality shall have authority and power, by resolution or ordinance, to create, and to maintain, use and reimburse, as herein provided, a revolving fund or funds in connection with and incident to proceedings had under this act, for the purpose of facilitating, contributing toward or assisting in any way any improvements or acquisitions, or both such improvements and acquisitions, authorized in this act, and any of the things which may be done hereunder. Said legislative body shall have power and authority by resolution to order transferred to and deposited in such revolving fund or funds money from the general fund, the permanent improvement fund, general street improvement fund, or any fund received and to be expended in laying out, constructing or otherwise improving or maintaining any public way or ways or property or rights of way of the public, or to be expended in acquiring property or rights of way therefor, or from the proceeds of any bonds issued either before or after the creation of such revolving fund, the proceeds of which may lawfully be appropriated to and expended for any of the things which may be done under this act, or from any other fund which may lawfully be appropriated to and expended for any of the purposes for which a proceeding may be had and taken under this act. Out of any revolving fund or funds created as herein provided the legislative body of the county or municipality, as the case may be, shall have authority and the power to appropriate any sum or sums deemed necessary and to expend the same for any of the things permitted to be done under this act, including any or all incidental expenses of proceedings, and may advance any sum or sums from any said revolving fund to pay any amount due upon any contract under this act, and may advance money from any said revolving fund and deposit the same in court as security for the purpose of obtaining immediate possession and use of any property sought to be acquired, as provided in this act, and may appropriate money out of any such revolving fund and purchase, at not exceeding the par value thereof, bonds issued under this act and collect and deposit in such revolving fund payments of principal and interest upon any such bonds so purchased from such revolving fund. Whenever the legislative body shall appropriate and expend or advance any sum or sums out of any said revolving fund to pay or to secure the payment of any of the costs and expenses of any improvement or acquisition, or both, authorized by this act, said legislative body shall have power and authority to order that the revolving fund be reimbursed either in whole or in part, by the deposit therein of the proceeds of any bonds issued under this act in an amount or amounts not exceeding the amount so paid out or advanced from the revolving fund, or said legislative body upon making appropriations out of and expending any moneys from such revolving fund, as herein authorized, shall have power and authority to reimburse said revolving fund in whole or in part by appropriating thereto and depositing therein additional moneys from any of the funds hereinbefore enumerated from which transfers to and deposits in revolving funds may be made.

The legislative body may at any time reduce or discontinue any revolving fund herein authorized and established by its order and shall thereupon transfer the moneys remaining therein to the funds from which the same were derived or may expend such moneys for any acquisitions or improvements which may be made under this act.

SEC. 41. Any property owner within the assessment district objecting to the validity of the bonds to be issued hereunder and claiming the proceedings to be illegal in any respect shall within thirty days after the passage of the final resolution bring his action to determine the validity of said bonds and proceedings. Such action shall be in the nature of a proceeding in rem and jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in some paper of general circulation, published in the county where the action is pending, such paper shall be designated by the court having jurisdiction of the proceedings. Jurisdiction shall be complete within thirty days after the full publication of such summons in the manner herein provided. Anyone interested may at any time before the expiration of said thirty days appear and by proper proceedings aid in the contest of or defend the validity of such bonds. It shall be the duty of the legislative body to appear and cause the validity of the bonds to be defended.

It shall be determined and adjudicated by the court in said action whether said proceedings and the bonds issued or to be issued are valid or invalid. Any person appearing in said proceedings shall have the right to appeal at any time within thirty days after the entry of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal.

No contest of any matter or thing herein provided shall be made other than within the time and in the manner herein specified.

SEC. 42. Any bonds which shall be issued under the provisions of this act shall be legal investments for all trust funds, and for the funds of insurance companies,

banks, both commercial and savings, and trust companies, and for state school funds, and whenever any money or funds may by any law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts or irrigation districts within the State of California, such money or funds may be invested in the said bonds, issued under this act and in accordance with its provisions, and whenever bonds of cities, cities and counties, counties, school districts or irrigation districts within this state may by any law now or hereafter enacted be used as security for the performance of any act or the deposit of any public moneys, the said bonds issued under this act and in pursuance of its provisions may be so used.

SEC. 43. Any bonds issued under this act may be surrendered by the holder thereof to the treasurer of the county or municipality, as the case may be, in accordance with the provisions of any law now or hereafter enacted applicable to the registration of municipal, county or district bonds, and thereafter the principal and interest becoming due thereon shall be paid to the proper registered owner thereof.

SEC. 44. If in any proceedings hereunder, at the time of any hearing a quorum of the legislative body is not present, said hearing may, by order of any one member of said legislative body or by announcement of the clerk thereof if no member is present, be continued to a day and hour to be stated in the order or announcement. Such order or announcement and a statement of the name of the members of the legislative body present, if any, shall be entered in the minutes of said legislative body and the said hearing shall be deemed and held to be regularly continued to the said hour so ordered or announced. If, for any reason, any such hearing is not had at the time fixed therefor and no order or announcement is made, as above provided, continuing the same to another time, the power of the legislative body in the premises shall not thereby be divested, but the legislative body may proceed anew to fix a time and place for such hearing and cause notice thereof to be given by publication by at least one insertion, such publication to be at least five days before the date of the hearing, and thereupon the legislative body shall have power to proceed and act as in the first instance.

SEC. 45. Whenever any ordinance, resolution, order, notice or other matter is required to be published or posted and the duty of posting or procuring the publication or posting of the same is not specifically enjoined upon any officer, it shall be the duty of the clerk of the legislative body conducting the proceeding to post or procure the publication or posting thereof, as the case may be. No proceeding or step required under this act shall be rendered insufficient or affected in any way by any error, mistake or departure as to the officer or person posting or procuring the publication or posting of any resolution, notice, order or matter hereunder, when the same is actually published or posted for the time required.

Proof of the publication of any ordinance, resolution, order, notice or other matter required by the provisions of this act shall be made by affidavit of the owner, publisher, printer or clerk of the newspaper and proof of the posting of any such resolution, order, notice or other matter required to be posted shall be made by the affidavit of the person posting the same or of the person who procured the same to be posted. Such affidavits of publication and posting shall be filed in the office of the clerk of the legislative body conducting the proceeding and it shall be the duty of any officer or person who is required by this act to have any ordinance, resolution, order, notice or other matter published or posted, to obtain and file the affidavit or affidavits in proof thereof; *provided*, that his failure so to do shall not affect in any way the validity of any proceedings under this act. Any such affidavits so filed shall be prima facie evidence of the facts therein stated regarding such publication or posting.

No publication or notice other than those provided for in this act shall be necessary in any of the proceedings provided for herein.

SEC. 46. The notices, ordinances, resolutions, orders or other matters required to be published by the provisions of this act shall be published as follows, to wit:

If the legislative body conducting the proceedings be that of a county, whether or not the proceeding includes an acquisition or improvement in and the assessment district includes land within one or more municipalities as well as in unincorporated territory of the county, the publications shall be made in a newspaper to be selected and designated by said legislative body, published and circulated in said county, which may be published either daily or less often than daily; and if the legislative body conducting the proceedings be that of a municipality, whether or not the proceeding includes an acquisition or improvement in and the assessment district includes land within another municipality or unincorporated territory of the county, or both, as well as within its own boundaries, the publication shall be made in a newspaper to be selected and designated by said legislative body, published and circulated either in the municipality for which such legislative body functions or elsewhere in the county in which said municipality is located, which newspaper may be one published either daily or less often than daily. The newspaper selected shall be that deemed by said legislative body most likely to give notice to all owners of land in the assessment district and persons interested in the proceedings; *provided, however*, that it shall not be necessary for said legislative body to set forth a determination of said fact in any of the proceedings, but such determination shall be presumed from the selection and designation of the newspaper. Said legislative body

may designate in the ordinance of intention the newspaper for making the publication thereof and for making all other publications in or incident to the proceedings. In such case it shall not be necessary thereafter to designate the newspaper for each publication; *provided, however*, that if publication in the newspaper designated in the ordinance of intention for making all publications in the proceedings shall become impossible for the reason that such newspaper has ceased to be published, or for any reason which renders publication therein impossible or impracticable, the legislative body may, by a resolution entered in its minutes, in which the facts are set forth, designate another newspaper for each required publication as occasion therefor arises. If a designation of a newspaper for making all publications in the proceedings is not made in the ordinance of intention, as provided, the legislative body shall designate a newspaper for the publication of each notice, ordinance, resolution, order or other matter required to be published as the occasion for such publication arises and in its order directing such publication. Whenever in this act it is provided that any notice, ordinance, resolution, order or other matter "be published," such provisions shall be deemed to and shall mean a publication in a newspaper as in this section provided.

If no newspaper be published in the county, where the legislative body of a county conducts a proceeding, or in the county in which the municipality is situated, where the legislative body of a municipality conducts a proceeding, then, ordinances, any resolutions, notices, orders or other matters required to be published in a newspaper may, in lieu of publication, be posted in three public places in the county, or municipality, as the case may be, and with like effect as if published, the said posting to be completed within the time provided for the publication.

The provisions of this section shall be controlling in all proceedings had and taken under this act, and no other statute shall govern or be applicable to the publications in this act provided for.

This section shall not apply to the publication of the notices required to be published by the clerk of the court in section 32 of this act.

SEC. 47. Subdivision 1. The term "public way," as used in this act, shall be deemed to mean and shall include all public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way or easements, of the public, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such incorporated territory and one or more unincorporated municipalities, or lying within two or more municipalities, or forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county or territory of another municipality, whether wholly or partly within or without said boundaries. Said term, as used in this act, shall also be deemed to mean and shall include all property for which an order to take immediate possession and use of a right of way required for a public use has been obtained from a court of competent jurisdiction in any action in eminent domain or proceeding for the acquisition thereof, in compliance with the provisions of section 14 of article I of the constitution of this state.

Subdivision 2. The word "acquire," and any of its variants, as used in this act, shall be deemed to mean and shall include the obtaining and acquisition of any public way or ways, as the same are above defined, and any other property and rights of way of the public, or to be acquired for the public, in any manner provided by law, including the laying out, opening, extending, widening, and straightening of the same, in whole or in part.

Subdivision 3. The word "improve," and any of its variants, as used in this act, shall be deemed to mean and shall include the construction or doing of the things and work following, either singly or in any combination thereof, as well as the reconstruction and repairing thereof, viz:

(a) Grading or regrading, paving or repaving, planking or replanking, macadamizing or remacadamizing, graveling or regaveling, oiling or reoilng.

(b) The construction or reconstruction of sidewalks, cross-walks, steps, parks and parkways, pleasure piers, culverts, bridges, curbs, gutters, tunnels, subways or viaducts.

(c) Sanitary sewers or instrumentalities of sanitation, together with the necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, tunnels, channels or other appurtenances.

(d) Drains, tunnels, sewers, conduits, culverts and channels for drainage purposes; with necessary outlets, cesspools, manholes, catchbasins, flush tanks, septic tanks, disposal plants, connecting sewers, ditches, drains, conduits, channels and appurtenances.

(e) Poles, posts, wires, pipes, conduits, tunnels, lamps and other suitable or necessary appliances for the purpose of lighting public ways or property.

(f) Pipes, hydrants and appliances for fire protection.

(g) Breakwaters, levees, bulkheads and walls of rock or other material to protect public ways, or property or rights of way from overflow by water.



(h) Wells, pumps, dams, reservoirs, storage tanks, channels, tunnels, conduits, pipes, hydrants, meters or other appurtenances for supplying or distributing a domestic water supply.

(i) Mains, services, pipes, fittings, valves, regulators, governors, meters, drips, drains, tanks, ditches, tunnels, conduits, channels or other appurtenances for supplying or distributing a domestic or industrial gas supply.

(j) Retaining walls, embankments and other structures necessary or suitable in connection with any of the work mentioned in this section.

(k) The planting of trees, shrubs or other ornamental vegetation.

(l) All other work which may be deemed necessary to improve the whole or any portion of any public ways or property or rights of way of the public.

(m) All other work or improvements, auxiliary, incidental, necessary, or convenient to any of the above, which may be required to carry out, facilitate or complete the same.

Subdivision 4. The word "work," when used in this act, shall be deemed to mean and shall include all the things included and all the works comprehended within the above definition of the word "improve."

Subdivision 5. The words "acquisition" and "improvement," when used in this act, referring to that which is done, which is to be done, or which may be done under proceedings had under this act, shall be understood to be generic and as being employed for the purpose of brevity and to avoid repetition, and shall refer to and include any or all of the things comprehended in the definitions of the words "acquire" and "improve" above given.

Subdivision 6. All work or improvement provided to be done "in" or "on" any public way or property or rights of way of the public in this act shall be deemed to mean and shall include such work or improvement in, under, upon and above the same.

Subdivision 7. The term "legislative body", as used in this act, when applied to a municipality, shall mean the body or board which, under the law, constitutes the legislative department of the government of the municipality, and, when applied to a county, shall mean the board of supervisors of the county.

Subdivision 8. The term "incidental expenses", as used in this act, when referring to proceedings for an acquisition, shall be deemed to mean and shall include, in addition to the amounts awarded to the defendants by the interlocutory judgment for costs, the compensation and expenses of the referees, as allowed by the court, and all other costs of plaintiff in such action and expenses incurred by it in the trial thereof, all expenses necessarily incurred in connection with such proceedings for the publication and posting of ordinances, resolutions, notices and orders in any of the proceedings, for maps, plats, surveys, searches and certificates of title to the property to be acquired, the compensation of the person appointed to prepare and furnish the ordinance of intention and engineering data for the acquisition, the compensation of the special counsel or attorney employed to prepare any or all of the proceedings necessary to be had and taken or to commence, prosecute and bring to a conclusion the necessary court actions or for any or all of such services, and the estimated cost of preparing the bonds and any other expenses incurred by authority of this act or incidental to the completion of the acquisition in the manner herein specified. The said term, as used in this act, when referring to proceedings for an improvement, shall be deemed to mean and shall include all expenses necessarily incurred in the proceedings for the publication and posting of ordinances, resolutions, notices and orders in any of such proceedings, the compensation of the person appointed to prepare and furnish the ordinance of intention and engineering data therefor, the compensation of the superintendent of work, the compensation of the engineer, and the estimated cost of preparing the bonds and any other expenses incurred by authority of this act or incidental to the completion of the improvement in the manner herein specified.

Subdivision 9. The word "treasurer", as used in this act, shall mean and refer to, in all proceedings conducted by the legislative body of the county, the county treasurer, and in all proceedings conducted by the legislative body of a municipality, the city treasurer.

Subdivision 10. The word "municipality" and the word "city", as used in this act, shall mean and include any corporation heretofore organized and now existing and those hereafter organized for municipal purposes.

Subdivision 11. The words "land" and "lands", as used in this act, shall be deemed to refer to and shall include pieces, parcels, lots, portions of lots, and all other subdivisions of land.

Subdivision 12. The words "tax collector", when used in this act, shall mean and refer to, in all proceedings conducted by the legislative body of a county, the county tax collector; and in all proceedings conducted by the legislative body of a municipality, the tax collector of the municipality where such officer exists, otherwise the county tax collector or if the taxes for the municipality are collected by the county, the county tax collector.

Subdivision 13. The word "assessor", when used in this act, shall mean and refer to, in all proceedings conducted by the legislative body of a county, the county

assessor; and in all proceedings conducted by the legislative body of a municipality, the assessor of the municipality where such officer exists, otherwise the county assessor, or if the assessments for the municipality are made by the county assessor, the county assessor.

SEC. 48. This act shall in no wise affect any other act or acts now existing or which may hereafter be passed covering the same subject matter nor apply to any proceedings had thereunder but it is intended to and does provide an alternative system for making the improvements and acquisitions provided for in this act and of accomplishing the purposes comprehended herein, and it shall be in the discretion of the appropriate legislative body to proceed under the provisions either of this act or of any other such act, but when any proceedings are commenced under this act, the provisions of this act and of such amendments hereto as may hereafter be passed and no other shall apply to all such proceedings, and any provisions contained in any of such other acts or any acts in conflict herewith shall be void and of no effect as to proceedings commenced under this act.

SEC. 49. This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be effective. No error, defect, irregularity, informality and no neglect or omission of any officer of any county or municipality, in any procedure taken hereunder, which does not affect the jurisdiction of the legislative body to order the doing of the thing or things proposed to be done, shall avoid or invalidate such proceeding or any bonds issued thereunder. The exclusive remedy of any person affected or aggrieved thereby shall be by appeal to the legislative body as hereinbefore provided. The sole acts necessary and essential to confer jurisdiction upon the legislative body to order the doing of the thing or things proposed to be done shall consist of the adoption of an ordinance of intention therefor and the publication of the same, as in this act provided.

If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 50. This act shall be known as, and whenever cited, referred to, or amended, may be designated as the "Acquisition and improvement act of 1927" and by such designation shall be sufficiently identified in any proceeding hereunder or in any court action or proceeding or legislative enactment in which this act is referred to.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Roads and Highways.

Senate Bill No. 849—An act to amend "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto, to be numbered section 26, to provide for the dissolution of such levee districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 838—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

Amend the title of the printed bill, by striking out after the words and figures "33a", the following words: "relating to an exchange of warrants issued by Sacramento and San Joaquin drainage district for warrants of reclamation districts", and by inserting in place thereof, the following words and figures: "authorizing a reclamation district that may have sold or transferred any of its levees or property to Sacramento and San Joaquin drainage district, Sutter-Butte by pass project number six, or any other unit or project, and received warrants issued by said Sacramento and San Joaquin drainage district or Sutter-Butte by pass project number six, or any other project thereof, in exchange or payment therefor, or may have received or may receive compensation for any property included in any plan now or that may hereafter be adopted for controlling the flood waters of Sacramento and San Joaquin rivers, or their tributaries, to exchange said warrants for outstanding warrants issued by such reclamation district and also providing that in any new, additional or supplemental assessment of such reclamation district, there shall be determined the amount that should be assessed upon tracts of land the benefits accrued from the expenditures represented by the warrants of the reclamation district exchanged or paid for by warrants of Sacramento and San Joaquin drainage district, and also the amount that should have been apportioned of warrants of Sacramento and San Joaquin drainage district, and providing that if the amount that would have been assessed against each tract of land is greater than the amount to which such tract or owner thereof would have been entitled on distribution of warrants, such excess shall be assessed to each tract of land and if the amount be less, the difference shall be paid to the owner of such tract by such reclamation district."

Amendment adopted.

## AMENDMENT NUMBER TWO.

Amend by adding after the period after the word "purposes" on page 2, line 45, of the printed bill, the following: "In any new, additional, or supplemental assessment of such reclamation district, there shall be determined the amount that should be assessed upon each tract of land according to the benefits that accrued to each tract of land from the expenditures represented by the warrants of the reclamation district that have been so exchanged or surrendered for or paid by warrants of Sacramento and San Joaquin drainage district or of Sutter-Butte by pass project number six or any other unit or project, and also the amount which should have been apportioned to each tract of land if said warrants of Sacramento and San Joaquin drainage district or of Sutter-Butte by-pass project number six or any other unit or project had been distributed to said tract of land or owner thereof proportionately to the percentage which on the last assessment made by said reclamation district, said tract of land was assessed for the construction or acquisition of the levees, easements and property sold or transferred to Sacramento and San Joaquin drainage district or any project thereof. If from such determination it appears that the amount that would have been assessed against any tract of land is greater than the amount to which such tract or owner thereof would have been entitled if such distribution had been made, such excess shall be assessed to such tract respectively. If the amount is less than the amount to which such tract or owner would have been entitled respectively, the difference shall be paid to the owner of such tract by the reclamation district."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 488—An act to repeal section 321 of the Civil Code of the State of California, relating to books of banks which shall be open to inspection.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 485—An act to add a new section to the Civil Code of the State of California, to be numbered 2290, relating to rights of banks purchasing other banking institutions.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 489—An act to add a new section to the Civil Code, to be numbered section 3265*f*, relating to actions for paying checks after payment has been stopped.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

In line 8 of the printed bill, after the word "thereon" insert the word "against".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 487—An act to add a new section to the Civil Code, to be numbered section 3321, relating to the measure of damages by the payment of a check which has been ordered stopped.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

After the word "prove" in line 8, of the printed bill, strike out the semicolon and all the rest of line 8 and all of line 9, and insert a period.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 486—An act to add a new section to the Civil Code, to be numbered section 3265*g*, relating to the stopping of payment of checks.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Strike out the period after the word "stopped" in line 6, of the printed bill, and insert the following: "and delivered to the particular office or branch of the bank on which said check was drawn."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 642—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 20, 31, 65, 80, 83 and 105, and by adding new sections thereto, to be numbered sections 31*c* and 31*d*, all relating to the definition and regulation of the business of banking.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

After the comma following the word "thirty-one" in the fourth line of the title of the printed bill, insert the following: "fifty-three, fifty-six *a*,".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 39, page 3, of the printed bill, following the word "departments" insert the following: "or the whole of the business of any of its branches".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 7 of the printed bill, following line 38, insert the following:

SEC. 5. Section 53 of said act approved March 1, 1909, as amended, is hereby amended to read as follows:

Sec. 53. The capital stock of any bank having a capital stock shall have a par value of either twenty-five dollars, fifty dollars or one hundred dollars per share, and the paid-up value shall be endorsed upon the face of each certificate issued, which paid-up value shall be the same on all certificates issued. No bank shall have preferred stock; *provided, however*, that no bank whose capital stock, on January 1, 1915, failed to comply with any of the requirements of this section, shall be compelled to change its capital stock in compliance herewith.

SEC. 6. Section 56a of said act approved March 1, 1909, as amended, is hereby amended to read as follows:

Sec. 56a. Nothing in this act shall prevent or prohibit any bank from converting into a national banking association under the provision of section 5154 of the United States revised statutes, or section 8 of the federal reserve act, or any other federal or state law.

No savings bank and no departmental bank having a savings department, organized and existing under the laws of the State of California, shall convert into a national banking association except upon the following conditions:

1. Coincident with its application to the comptroller of the currency, any such savings or departmental bank shall file with the superintendent of banks formal notice of intention to convert into a national banking association.

2. Prior to conversion, any such savings or departmental bank shall place in the hands of the superintendent of banks,

(a) A constructive notice for newspaper advertisement, directed to its savings depositors, of the fact of conversion;

(b) Actual notice addressed to each and every savings depositor, at his or her last known address, enclosed in stamped and addressed envelopes ready for mailing, this notice to be as follows:

"You are hereby notified that the undersigned, formerly the-----, now the-----, has converted from a banking corporation existing under the laws of California into a national banking association; and has therefore ceased to be under the jurisdiction and direction of the California state banking department and the bank act of California, and is now under the jurisdiction and control of the federal reserve act and the national act." No other matter may be enclosed with this notice unless by permission of the superintendent of banks.

3. Upon conversion said bank shall file with the superintendent of banks a copy of its authorization as a national banking association, certified by the comptroller of the currency; and shall surrender to the superintendent of banks its license as a state banking corporation.

4. Immediately following the conversion of a state bank, the superintendent of banks shall cause the publication of the notice provided in subdivision (a) of paragraph two of this section; same to be at least once a week for four successive weeks in a newspaper of general circulation, printed and published in every town where said bank transacts its business and if there be no such paper in any such town or towns, then in the county where such bank transacts its business, and the superintendent of banks shall cause to be mailed the notices provided in subdivision (b) of paragraph two of this section. The advertisement shall be at the expense of the converting bank, prepaid to the department."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On line 39, page 7, of the printed bill, following the word "Sec." strike out the figure "5" and insert in lieu thereof the figure "7".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On line 36, page 9, of the printed bill, following the word "state" strike out the period and insert a comma and the following: "notwithstanding anything in this section contained, and such loans may be made in the usual manner of making loans in which no director of such bank is interested."

Amendment adopted.

## AMENDMENT NUMBER SIX.

On line 37, page 9, of the printed bill, following the word "Sec." strike out the figure "6" and insert in lieu thereof the figure "8".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On line 3, page 12, of the printed bill, following the word "Sec." strike out the figure "7" and insert in lieu thereof the figure "9".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On line 28, page 14, of the printed bill, strike out the period and insert a comma and the following: "notwithstanding anything in this section contained, and such loans may be made in the usual manner of making loans in which no director of such bank is interested."

Amendment adopted.

## AMENDMENT NUMBER NINE.

On line 29, page 14, of the printed bill, following the word "Sec." strike out the figure "8" and insert in lieu thereof the figure "10".

Amendment adopted.

Bill read second time, ordered to print engrossment, and on file for third reading.

Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 378—An act to amend section 1156 of the Penal Code, relating to special verdict in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 379—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 380—An act to amend section 1123 of the Penal Code, relating to alternate jurors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code, to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 376—An act to amend section 1180 of the Penal Code, relating to the effect of an order granting a new trial in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 27—An act to amend section 647 of the Penal Code, defining and punishing the crime of vagrancy.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 410—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered 1256, and to repeal sections 1247, 1247a, 1247b, 1247c and 1247d of the Penal Code, relating to appeals in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 375—An act to amend section 1181 of the Penal Code, relating to the grounds upon which new trials may be granted and providing for modification of verdicts in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 404—An act to add a new section to the Penal Code to be numbered 681b, relating to punishment for criminal offenses.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 402—An act to amend section 825 of the Penal Code, relating to the time within which a defendant must be taken before a magistrate.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 401—An act to amend section 859 of the Penal Code, relating to the postponement of preliminary examinations for the purpose of obtaining counsel.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 391—An act to add a new section to the Penal Code, to be numbered 969a, relating to pleading prior convictions in indictments or informations and providing for the filing of supplemental information, charging prior conviction which may have been omitted in original indictment or information.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 463—An act to amend section 626g of the Penal Code, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 604—An act to define certain words and phrases used in laws governing the protection of fish and game in the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 606—An act to permit the Fish and Game Commission to control predatory fish and animals.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 136—An act to amend section 626d of the Penal Code, relating to the bag limit of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the Fish and Game Commissioners.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 466—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and 'anglers'," approved May 20, 1915, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 547—An act to repeal section 637c of the Penal Code, relating to the taking of sea lions.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 464—An act to amend section 631e of the Penal Code, relating to the protection of fish and game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 30, strike out the word "unlawful" and insert in lieu thereof the word "lawful".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after the word "eight", in line 42, insert the word "inches".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of lines 19 to 27, inclusive, and insert in lieu thereof the following: "take barracuda in any fish and game district, with roundhaul nets or purse seines, between the sixteenth day of May and the thirty-first day of July, both dates inclusive."

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, in line 44, after the word "district" insert the following: "twelve "A" and".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, in line 51, after the word "district" insert the following: "twelve "A" and".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 4 of the printed bill, in line 5, after the word "thirteen" insert a comma and the word "seventeen".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 4 of the printed bill, and between lines 7 and 8, insert the following: "and provided, further, that it shall be unlawful to use trawl or paranzella nets in water less than sixteen fathoms in depth in fish and game district seventeen;".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, of the printed bill, beginning with line 6, strike out all down to and including line 26, on page 2, and in lieu thereof insert the following:

SEC. 2. When used in this act, unless the context otherwise requires, the word or term

(a) "Veteran" includes any citizen of the United States who has served on active duty in the army, navy or marine corps of the United States in time of war and has received an honorable discharge therefrom or who has been released from active duty under honorable conditions and who at the time of making application for aid hereunder is a bona fide resident of the State of California; *provided*, that preference shall be given to veterans who were at the time of their enlistment, induction, commission or drafting bona fide residents of the State of California, but does not include—

1. Any person at any time after April 5, 1917, separated from such forces under other than honorable conditions;

2. Any person at any time after April 5, 1917, separated from the military or naval forces on account of alienage;

3. Any person who performed no military duty whatever or refused to wear the uniform;

4. Any person who has received from another state a bonus, compensation or benefit, the prerequisite of which is service in the army, navy, or marine corps of the United States, which service is the basis for the claim for benefits under this act; or

5. Any person who did not enter the military or naval forces of the United States prior to November 12, 1918.

(b) "Board" means the veterans' welfare board of the State of California;

(c) "Farm" means a tract of land which, in the opinion of the board, is capable of producing sufficient to provide a living for the purchaser and his dependents;

(d) "Home" means a parcel of real estate upon which there is a dwelling-house and such other buildings as will, in the opinion of the board, suit the needs of the purchaser and his dependents as a place of abode;

(e) "Purchaser" means a veteran or any person who has entered into a contract of purchase of a farm or home from the board;

(f) "Purchase price" means the price which the board pays for any farm or home;

(g) "Selling price" means the price for which the board sells any farm or home;

(h) "Initial payment" means the first payment to be made by a purchaser to the board for a farm or home.

SEC. 2. Section 4 of said act is hereby amended to read as follows:

SEC. 4. The board may acquire in any manner for sale to a veteran a farm the value of which does not exceed the sum of seven thousand five hundred dollars, or a home the value of which does not exceed the sum of five thousand dollars which farm or home must be situated in the State of California; *provided*, that no veteran shall receive the benefits hereof who, in the case of the purchase by him of a farm, would thereby become the holder of real estate exceeding in value the sum of seven thousand five hundred dollars or in the case of the purchase by him of a home would thereby become the holder of real estate exceeding in value the sum of five thousand dollars; *provided, further*, that the board may acquire a farm or home in which the veteran to whom such farm or home is to be sold has theretofore acquired an interest; *and provided, further*, that no veteran who has taken advantage of the benefits of the California veterans' welfare act, shall be permitted to take advantage of the benefits afforded under this act, and no veteran who has taken advantage of the benefits of an act entitled "An act to provide educational opportunities for persons who served in the army, navy, or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921, shall be permitted to take advantage of the opportunities afforded under this act, unless such veteran shall return to the California veterans' welfare board an amount of money equal to that received by him as such educational aid. Any money so returned shall be deposited in the veterans' farm and home building fund and used in carrying out the purposes of this act.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 120—An act granting to the city of Los Angeles the tide lands and submerged lands of the State within the boundaries of said city.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 657—An act to amend section 85 of the "California Vehicle Act," approved May 30, 1923, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the first line of the title of the printed bill, strike out the word "eighty-five" and insert in lieu thereof the word "thirty-six".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

Strike out the third line of the title of the printed bill and insert in lieu thereof the following: "registration of motor vehicles".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the figures "85" and insert in lieu thereof the figures "36".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 4 to 27, inclusive, and strike out all on page 2, and insert in lieu thereof the following:

Sec. 36. Applications for registration. (a) Every owner of a motor vehicle, trailer or semitrailer which shall be operated upon the public highways of this state shall for each such vehicle owned, except as herein otherwise provided, apply to the division for the registration thereof.

(b) Application for the registration of a vehicle herein required to be registered shall be made upon the appropriate form furnished by the division and shall contain the name and address of the owner and legal owner; also a description of the vehicle, including the name of the maker, the motor number, and the date first sold by the manufacturer or dealer to the consumer; such application shall also be accompanied by a weight certificate duly certified by a public weighmaster, showing the maximum gross weight of said vehicle when laden with its rated capacity load, also when unladen; which must be declared on said application and registration fees paid for in accordance with section 77. Said weighmaster's certificate shall also show the gross weight on each axle and the gross weight on each wheel where it rests upon the roadway, and it shall be unlawful for such vehicle to be operated on the public highway when its gross weight exceeds that shown in the application for registration; nothing herein to conflict with section 85 of this act. The application shall also contain such further description of the vehicle as shall be called for in the form and such other information as may be required by the division.

(c) In the event that the vehicle to be registered should be a specially constructed, reconstructed or an imported vehicle, such fact shall be stated in the application, and upon the registration of every imported motor vehicle which has been registered theretofore in any other state or country, the owner shall surrender to the division all number plates, seals, certificates of registration or other evidences of such former registration as may be in the applicant's possession or control.

(d) The provisions of this act requiring the registration of certain vehicles shall not apply to implements of husbandry temporarily drawn, moved, or otherwise propelled upon the public highways."

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Motor Vehicles.

**SECOND READING OF ASSEMBLY BILLS.**

Assembly Bill No. 165—An act granting certain tide lands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 731—An act to authorize the State Adjutant General to lease State armories and other State property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 688—An act to amend section 4041f and to add a new section, to be numbered 4408a of the Political Code, relating to homes and meeting places for veterans.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1020—An act authorizing the Governor, as trustee, to receive on behalf of the National Guard of the State of California, certain funds from the Secretary of War of the United States.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 22—An act to add a new section, to be numbered 27a, to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to the annexation of territory to sanitary districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 17—An act to add a new section to be numbered 7a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and

enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to the Sanitary Board.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer Senate Bill No. 518 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the word "Richvale" insert the words "via Oroville".

AMENDMENT NUMBER TWO.

On page 2, of the printed bill, strike out lines 25 and 26 and insert in lieu thereof the following:

Route 58. From Barstow via Needles to the Colorado river near Topoc, Arizona.  
Route 58(a). From Mojave to Barstow.

AMENDMENT NUMBER THREE.

On page 2, of the printed bill, in lines 38 and 39, strike out the following: "Primary and Secondary State Highway Construction Funds Created.", and insert in lieu thereof the following: "State Highway Construction Fund."

AMENDMENT NUMBER FOUR.

On page 3, of the printed bill, in line 1, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out all of lines 3 to 7, both inclusive, and insert in lieu thereof the following: "be allocated to and expended upon the primary state highways as provided in section 3 hereof and the remaining twenty-five per cent of said revenues credited to the state highway construction fund shall be allocated to and expended upon secondary state highways as provided in section 3 of this act."

AMENDMENT NUMBER SIX.

On page 3 of said printed bill, strike out all of lines 8 to 11, both inclusive, and insert in lieu thereof the following:

"SEC. 3. Expenditure of funds allocated to primary and secondary state highways. (a) The money herein allocated to primary state highways and the amount available therefor each year shall be expended by the California".



## AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following:

"(b) The money herein allocated to secondary state highways and the amount available therefor each year shall".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 518, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Breed adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 387 to Senator Kline, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, after the word "charged", insert a comma and add the following: "provided, that the court may for good cause shown allow a change of plea at any time before the commencement of the trial."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 387, with instructions to amend, respectfully reports the same back, amended as per instructions.

KLING, Special Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case.

On motion of Senator Baker, Senate Bill No. 386 was passed on file.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

On motion of Senator Baker, Senate Bill No. 610 was passed on file.

Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 615 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagye, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of

trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district." approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows to wit: Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to deputies to assessor and collector; section 15b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27a, relating to time for completion of assessment roll and time for equalizing assessments; section 27b, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28a, relating to levy of taxes by boards of supervisors; section 28b, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28d, relating to collection of unsecured taxes; section 28e, relating to addition of unpaid water tolls and charges to taxes; section 28f, relating to assessment lien; section 28g, relating to change of assessments and refund of erroneous taxes; section 28h, relating to notice that assessments are due and collection and delinquency of taxes; section 28i, relating to suit against delinquents to collect taxes; section 28j, relating to duty of collector on sale for delinquent taxes; section 28k, relating to sale for delinquent taxes; section 28l, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28m, relating to certificates of sale; section 28n, relating to record book of property sold for taxes and interest on redemption; section 28o, relating to redemption of property and collector's deed; section 28p, relating to delinquent taxes and deed on dissolution of district; section 28q, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28r, relating to assessment roll or delinquent list as prima facie evidence; section 28s, relating to misnomers; section 28t, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28u, relating to settlements between secretary and collector; section 29a, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act.

On motion of Senator Kline, Senate Bill No. 110 was passed on file.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works.

On motion of Senator Nelson, Senate Bill No. 823 was passed on file.



Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

On motion of Senator McKinley, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 411—An act to amend section 969 of the Penal Code, relating to pleading of prior convictions in indictments or information. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 411 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Wagy—31.

NOES—West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR INGRAM IN THE CHAIR.

At eleven o'clock and thirty-seven minutes a.m., Senator Ingram of the Third District was called to the chair.

Senate Bill No. 383—An act to amend sections 1070, 1089 and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 383 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, and Wagy—28.

NOES—Jones, Ray; and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and/or other timber products by persons who by their own labor, and/or by using their live stock, machinery and/or appliances, assist in felling, preparing, and or transporting logs and/or in manufacturing lumber and/or other timber products from such logs, providing for means by which the owner of such logs and/or products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor, and making such liens prior to all other liens, claims or encumbrances, except the land owner's claim for a reasonable stumpage in cases where the land owner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers employed in logging

camps upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same, approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act.

On motion of Senator Mueller, Senate Bill No. 83 was passed on file.

Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Maloney, Senate Bill No. 831 was passed on file.

Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 416 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

On motion of Senator Fellom, Senate Bill No. 90 was passed on file.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 243—An act to amend section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the constitution of municipal courts and the compensation of judges, officers and attaches of such courts in cities or cities and counties of the first and one-half class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 243 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 143—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 143 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, and Waggy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 164—An act to add a new section, to be numbered section 22a, to the "Juvenile Court Law," approved June 5, 1915, as amended, relating to maintenance of public schools in detention homes.

On motion of Senator Kline, Assembly Bill No. 164 was passed on file.

Assembly Bill No. 658—An act to amend section 19x44 of the "Juvenile Court Law," approved June 5, 1915, relating to the salary of probation officers in counties of the forty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 658 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Swing, and Waggy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 193—An act to provide an institution for the confinement, cure, care and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof; and to make an appropriation therefor.

On motion of Senator Crowley, Assembly Bill No. 193 was passed on file.



Assembly Bill No. 796—An act authorizing the State Board of Forestry to receive gifts or donations of lands for forest and watershed purposes.

On motion of Senator Nelson, Assembly Bill No. 796 was passed on file.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 638—An act to amend the California Vehicle Act approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 148, 151, and by adding thereto new sections to be numbered 194 and 452, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—10; absent—5.

KLING, Chairman.

Senate Bill No. 638 ordered on file for second reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 261—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Assembly Bill No. 832—An act to amend sections 1 and 3 of an act entitled "An act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance, conduct and management of the same," approved June 6, 1913, relating to the establishment of a civic center at the public schoolhouses within the state and to the management, direction and control of said civic center.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 261 and 832 read first time and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 201—An act to amend section 1612 of the Political Code, relating to contracts by boards of school trustees and city boards of education;

Also: Assembly Bill No. 239—An act to amend an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 13, 1913, as amended, by amending sections 1 and 4 thereof, and by adding thereto a new section to be numbered 6, relating to special precincts;

Also: Assembly Bill No. 834—An act to add a new section to the Political Code to be numbered 16104, relating to special leaves of absence and exchanges of teachers, principals, and other persons in public school service holding positions requiring the certification of their qualifications in certain cases, and defining the powers of boards of school trustees and city, or city and county boards of education or high school boards of education in such cases;

Also: Assembly Bill No. 1130—An act to amend section 51 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to disposition of moneys;

Also: Assembly Bill No. 1134—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, as amended, and repealing an act entitled "An act creating an 'Industrial Accident Fund' and appropriating moneys therein," approved May 26, 1913.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 201 read first time, and referred to Committee on Education.

Assembly Bill No. 239 read first time, and referred to Committee on Elections.

Assembly Bill No. 834 read first time, and referred to Committee on Education.

Assembly Bills Nos. 1130 and 1134 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 10—Relative to memorializing and petitioning the President of the United States and Congress to establish by proper legislation a bureau or department of publicity.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Joint Resolution No. 10 read and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 9 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, excepting certain counties from the provisions thereof:

Also: Senate Bill No. 292—An act to amend section 308 of the Civil Code, relating to officers of corporations:

Also: Senate Bill No. 320—An act providing for the distribution of any money appropriated by the State of California for the encouragement of county and district fairs:

Also: Senate Bill No. 442—An act to amend section 19-14 of the "Juvenile Court Law" approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fourteenth class:

Also: Senate Bill No. 494—An act to amend section 4267 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the thirty-eighth class, and fixing the mileage and per diem of grand and trial jurors in such counties:

Also: Senate Bill No. 564—An act to amend section 336 of the Civil Code, relating to corporations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 242, 290, 320, 442, 494 and 564 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add a new section to said act to be numbered section 15a, relating to the payment of the interest due on bonds of the district;

Also: Senate Bill No. 68—An act to amend section 6 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add three new sections to said act to be numbered sections 6a, 6b and 6c, respectively, relating to the annexation of territory to said district, and also adding a new section to said act to be numbered section 6d, relating to the control of any existing publicly owned utility in such district;

Also: Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision;

Also: Senate Bill No. 221—An act to amend section 307 of the Civil Code excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 65, 68, 97 and 221 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED THIRTY.

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended March 1, 1927, strike out lines 9 and 10 and insert in lieu thereof the following: "hereby allowed one undersheriff and three deputies, who shall be appointed by the sheriff, the undersheriff".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 530?

The roll was called, and Assembly amendment to Senate Bill No. 530 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Lyon, Maloney, Murphy, Rush, Slater, Taylor, and Wagye—23.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day, passed as amended, Senate Bill No. 72—An act to amend the title and also sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any



county, city and county or incorporated city or town," approved April 23, 1913, by providing that the surplus funds in the treasury of municipal utility districts and flood control districts may be invested in like manner as those of other public corporations mentioned in said act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 72—An act to amend an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913, by providing that the surplus funds in the treasury of municipal utility districts may be invested in like manner as those of other municipal corporations mentioned in said act.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVENTY-TWO.

##### AMENDMENT NUMBER ONE.

After the word "amend" in line 1 of the title of the engrossed bill, insert the following: "the title and also sections one and two of".

##### AMENDMENT NUMBER TWO.

Strike out the word "municipal", line 7 of the title of the printed bill, and insert in lieu thereof the word "public".

##### AMENDMENT NUMBER THREE.

On page 2, after line 22, of the engrossed bill, add the following:

SEC. 3. The title of the above entitled act is hereby amended to read as follows: An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 72?

The roll was called, and Assembly amendments to Senate Bill No. 72 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Taylor, and Wagy—26.

NOES—None.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 251—An act to amend section 4279 of the Political Code, relating to salaries of officers of counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 251 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Taylor, and Wagy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 926—An act to amend sections 5 and 18 of the "California Warehouse Act," as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 926 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Taylor, and Wagy—23.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Canepa, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Friday, March 18, 1927.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, March 18, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and West—32.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 17, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVES OF ABSENCE.

Senator Murphy was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Swing was, on motion of Senator Tubbs, granted leave of absence for this day.

Senator Weller was, on motion of Senator Ingram, granted leave of absence for this day.

Senators Chamberlin and Hurley were, on motion of Senator West, granted leaves of absence for this day.

Senator Lyon was, on motion of Senator Breed, granted leave of absence for this day.

Senator McKinley was, on motion of Senator Ingram, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Elva O. Hanson of Humboldt County.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Roy Rankin of Los Angeles, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Fred Stewart of Oakland, California.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. R. Mason of San Francisco, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the Hollywood beauties of West Coast Theaters, Inc., as follows: Agnes Garrigan, Isabel Brient, Evlynn Ross, Kitty Matthews, Mildred Judah, Rilla Carroll, Lillian Butterfield, Eileen Eyre, Frances Hartwell, Genevieve Rupp, Margot Lavonne, Beue Veuuta, Dorothy Ray, Mary Louise Treen, Esther Brodelet, Rita Claire, Theresa Claire and Una McDonald; also Roy Smoot and Teddy Amsterdam.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Peter J. Kramer, principal of Franklin Union School, Franklin, California, and students as follows: Hazel Willyard, Ted Kammerer, Agnes Kunsting, Thelma Johanson, Harold Schultz, Henry Kloss, Maggie Balliet, Lester Koster, Leila Ross, Doris Johnston, Edwin Lippert, Harry Kneppel, Milton Schmidt, Harold Mohr, Maggie Rau, Barbara Kammerer, Mary Sims, Rienhold Derheim, George King, Edith Tegen, Cecil Hack, Raymond Engel, Lorraine Schaeffer, Leonard Hasty, Takeyoshi Hamitani, Harold Miller, Horace Pyeatt, Marian Donnals, Ernest Brinkerhoff, Herbert Torsch, Ben Schuch, Lillian Trey, and Kiyohiko Hamitani.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the 8th B class, graduating in June, of the McKinley school of Sacramento, California, Ida J. North, teacher, and students as follows: Albert Steele, Wilbur Hill, Oliver Logan, Bobby Rath, Sam Palermo, Raymond Fields, Stanley Davis, Josephine Riolo, Pappino Merri, Alice Noone, Gladys Yee, Josephine Sukow, Benjamin Wills, Jennie Cucciarrre, Vincent Le Forte, Violet Wong, and Edward Baldwin.

## COMMUNICATION.

The following communication was received and, on motion of Senator Breed, ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, March 18, 1927.

*Honorable Byron Fitts,  
Lieutenant Governor,  
Building.*

DEAR LIEUTENANT GOVERNOR FITTS: Bills are now beginning to come in at such a rate that I should like to make a suggestion as to information concerning them which will be of value to this office. In the first place, I want to congratulate you and the members of the Senate on the excellent progress you are all making in your work, on the spirit of earnestness which prevails, and on the record of business-



like efficiency you are setting for this session of the Legislature. I particularly want to commend the general agreement you seem to have reached that only bills of real importance shall receive final enactment.

Although I propose to review each bill very carefully, I need not say that I shall welcome all the light upon each measure which your members can give me. I should prefer that this be not done orally, partly for lack of time, but more especially because one matter inevitably so crowds out another that what I am told about any particular measure may largely be erased by subsequent information concerning others. Accordingly I should appreciate a written statement on the bills from all members of the Senate who care to give them. I would, if I may, make the following definite suggestions:

(1) An explanation of each bill should in all cases come from its author. This may be supplemented when desired by statements from others not in the Legislature, who are particularly interested in the bill.

(2) I should appreciate from committee chairmen and committee members statements regarding bills which have gone through their committees, and which have attracted their attention as being particularly desirable, or particularly undesirable.

(3) Finally, I should appreciate hearing from members regarding any bills in which they have become especially interested, either for or against.

I wish to make it clear that I am merely seeking information respecting these measures—what lies behind each which makes it worthy to become a law, what is to be accomplished for the good of the State, and how. Although we want to pass every necessary piece of legislation, I am sure we all want to reduce to a minimum all proposed legislation which is unnecessary.

I would suggest that those members who care to submit the written recommendations I have suggested, do so as fast as the bills pass the Senate, and while they are fresh in mind. Each communication will be filed away for careful consideration, provided the bill finally passes the other house.

Please understand that in all the above, I am not trying to impose any burden upon any member which he may not care to assume. I am simply suggesting a method of procedure for those who wish to consult with me concerning bills.

Yours very sincerely,

C. C. YOUNG, Governor.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

*It is hereby resolved by the Board of Trustees of City of Blythe, That Honorable Chester M. Kline, Senator from the Thirty-ninth Senatorial District, California, be requested to introduce, and that the Senate and Assembly of the State of California be and they are hereby respectfully requested to pass and adopt those certain amendments to the Palo Verde Irrigation District Act, consisting of the thirty-seven pages of typewritten matter, and providing for the appointment of a district assessor and tax collector and the installation of a district system of tax assessment and collection; and it is further*

*Resolved, That it is our conviction that said proposed amendments will be for the best interests of the Palo Verde Irrigation District and the property owners therein, will furnish adequate relief to owners of property within the City of Blythe, and are similar to the provisions of the California Irrigation Act in respect to the assessment and collection of taxes.*

We, the undersigned, being the President of the Board of Trustees of and Clerk of City of Blythe, California, do hereby certify that the foregoing resolution was duly passed and adopted by its Board of Trustees at a meeting of said board duly called, convened and held on the eighteenth day of January, 1927, and that said resolution has been duly entered in its minute book.

Dated this eighteenth day of January, 1927.

CITY OF BLYTHE.

By NEIL HINCKLEY,

President pro tempore of its Board of Trustees.

By LEILA H. WHITE, its Deputy Clerk.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following

Assembly Bill No. 888—An act to amend section 4243 of the Political Code, relating to salaries of copyists appointed by the recorder;

Also: Assembly Bill No. 899—An act to amend section 4287 of the Political Code, relating to fees and salaries of county and township officers in counties of the fifty-eighth class;

Also: Assembly Bill No. 1019—An act to amend sections 8, 9, and 10 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended;

Also: Assembly Bill No. 1052—An act to amend section 103 of the Code of Civil Procedure, relating to qualifications of justices of the peace in certain townships;

Also: Assembly Bill No. 1077—An act to amend section 1 of an act entitled "An act providing for topographic surveys and investigations of the water resources of the State and making an appropriation therefor," approved April 22, 1909.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 888 and 899 read first time, and referred to Committee on County Government.

Assembly Bill No. 1019 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1052 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1077 read first time, and referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 504—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support;

Also: Assembly Bill No. 513—An act to amend section 2322½ of the Political Code, relating to salaries, fees and expenses of horticultural commissioners, deputies, inspectors and clerks in counties of the tenth class;

Also: Assembly Bill No. 566—An act to amend section 1941 of the "Juvenile Court Law" approved June 5, 1915, as amended, relating to salary of probation officer in counties of the forty-first class;

Also: Assembly Bill No. 665—An act to provide for the regulation and supervision of, and to prevent fraud in, sales of fertilizer as the same is therein defined; to provide for license to engage in the business of selling or dealing in such fertilizer; to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 757—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 504 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 513 and 566 read first time, and referred to Committee on County Government.

Assembly Bill No. 665 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 757 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 442—An act to amend "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended, by adding a new section thereto to be numbered section 251, providing for the payment of certain work by special tax and authorizing the levy of special tax therefor;

Also: Assembly Bill No. 457—An act to amend sections 2, 3, 4, 11 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 20, 1905, as amended;

Also: Assembly Bill No. 467—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class;

Also: Assembly Bill No. 486—An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura county of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor; to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 442 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 457 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 467 read first time, and referred to Committee on County Government.

Assembly Bill No. 486 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 292—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways;

Also: Assembly Bill No. 306—An act to be known as the "Pure Milk Law of California," to prevent the sale of impure and unwholesome milk; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, counties and groups of cities and counties to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the payment of a fee to defray the expenses of such approved milk inspection service; to provide for the examination, testing, branding and exclusion of tuberculous cattle; to prescribe penalties for violation of the provisions hereof; to repeal an act known as the "Pure Milk Law," approved June 15, 1923, as amended, and all acts or parts of acts inconsistent with the provisions of this act;



Also: Assembly Bill No. 385—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 15, 1893, as amended, relating to the powers of trustees;

Also: Assembly Bill No. 398—An act to amend section 2322x16 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies and inspectors in counties of the sixteenth class;

Also: Assembly Bill No. 403—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution, so as to give wage claimants the right to levy execution on one-half of the wages due a judgment debtor;

Also: Assembly Bill No. 430—An act to amend section 4278 of the Political Code, relating to salaries and fees of officials in counties of the forty-ninth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 292 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 306 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 385 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 398 read first time, and referred to Committee on County Government.

Assembly Bill No. 403 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 430 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 216—An act to amend section 4 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employment, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments: to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the posting of notices with reference to the time of payment of wages, the place where wages shall be paid, manner of payment, payment in case of strikes and penalties for violations thereof, so as to make the civil penalty for failing to pay the wages of workers monthly or semiannually entirely independent of the criminal penalty, to provide for the bringing of the civil actions for the said penalties by the said commissioner in the name of "the people of the State of California," delegating to the said commissioner and his attorneys the authority to so proceed and to provide for the consolidation of several causes of action for the said penalties without separately stating them, also for the payment of such penalties without suit;

Also: Assembly Bill No. 229—An act to declare certain reclaimed land in the city of Vallejo to be free from certain trusts and restrictions imposed on such land when granted to such city;

Also: Assembly Bill 257—An act to amend section 1461 of the Penal Code, relating to disposition of fines.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 216 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 229 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 257 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 159—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 640 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states:

Also: Assembly Bill No. 180—An act to amend sections 1 and 2 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same, and providing penalties therefor," approved March 20, 1903, as amended, by reducing the criminal penalty and adding a civil penalty for violation thereof and by making its provisions apply to misrepresentations regarding the existence of work and the length of time such work will last.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 159 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 180 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 28—An act to amend section 2322x27 of the Political Code relating to the salary and expenses of the horticultural commissioner, his deputies, and employees, in counties of the thirty-seventh class:

Also: Assembly Bill No. 34—An act to amend sections 1 and 2 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, by making its application universal, prescribing penalties for violation thereof, and making it mandatory to insert in such advertisements the name of the person, firm, association or corporation placing the advertisement and making the appearance of this name in connection with the advertisement prima facie evidence as to the person, firm or corporation responsible for the advertisement;

Also: Assembly Bill No. 88—An act to amend section 1465 of the Code of Civil Procedure, relating to provision for the support of the family;

Also: Assembly Bill No. 114—An act to create a flood control district to be called "Orange County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 28 read first time, and referred to Committee on County Government.

Assembly Bill No. 34 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 88 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 114 read first time, and referred to Committee on Drainage, Swamp and Overflowed Land.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 169—An act to add a new section to be numbered 6c to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to assuming of obligation of guarantor by transportation companies;

Also: Senate Bill No. 170—An act to amend section 6 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to mortgages and liens on property of transportation companies.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 169 and 170 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article IV thereof, relating to the election and term of office of members of the Assembly.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Constitutional Amendment No. 20 read, and referred to Committee on Constitutional Amendments.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489, and 490, of the Penal Code, and to add a new section to the Penal Code, to be numbered 490a, defining the crime of theft and prescribing punishment therefor—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

#### SENATOR WEST IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Senator West of the Fourteenth District was called to the chair.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 768—An act to amend section 33 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act and repealing



title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, and also to add two new sections thereto to be numbered 24, and 504, relating to the definition of and regulation of passenger stage corporations;

Also: Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing of transcripts of testimony and delivery of copy thereof to defendant;

Also: Senate Bill No. 203—An act to amend sections 3, 4, 5, 7, 9, 11, 35, 39, 40, 41 and 50 of an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, exclusion of public property and mode of assessing and levying special assessment taxes, filing copies of specifications, fixing time for receiving bids, employment of attorney to prepare proceedings, time within which bonds are to be paid, time of payment of interest and manner of fixing rate thereof, sale of bonds, signers of objections, and definition of terms, and to add two new sections to said act, to be numbered sections 284 and 364, relating to the interest rates and sale of acquisition bonds and immediate possession bonds;

Also: Senate Bill No. 61—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act;

Also: Senate Bill No. 99—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 844—An act to add a new section to the Political Code to be numbered section 2643, relating to powers and duties of supervisors respecting roads;

Also: Senate Bill No. 485—An act to add a new section to the Civil Code of the State of California, to be numbered 2290, relating to rights of banks purchasing other banking institutions;

Also: Senate Bill No. 378—An act to amend section 1156 of the Penal Code, relating to special verdict in criminal cases;

Also: Senate Bill No. 379—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases;

Also: Senate Bill No. 27—An act to amend section 647 of the Penal Code defining and punishing the crime of vagrancy;

Also: Senate Bill No. 410—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered 1256, and to repeal sections 1247, 1247a, 1247b, 1247c, and 1247d, of the Penal Code, relating to appeals in criminal cases;

Also: Senate Bill No. 375—An act to amend section 1181 of the Penal Code, relating to the grounds upon which new trials may be granted and providing for modification of verdicts in criminal cases;

Also: Senate Bill No. 404—An act to add a new section to the Penal Code to be numbered 681b, relating to punishment for criminal offenses;

Also: Senate Bill No. 402—An act to amend section 825 of the Penal Code, relating to the time within which a defendant must be taken before a magistrate;

Also: Senate Bill No. 401—An act to amend section 859 of the Penal Code, relating to the postponement of preliminary examinations for purpose of obtaining counsel;

Also: Senate Bill No. 391—An act to add a new section to the Penal Code to be numbered 969a, relating to pleading prior convictions in indictments or informations and providing for the filing of supplemental information charging prior conviction which may have been omitted in original indictment or information;

Also: Senate Bill No. 463—An act to amend section 626g of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 606—An act to permit the Fish and Game Commission to control predatory fish and animals;

Also: Senate Bill No. 136—An act to amend section 626d of the Penal Code, relating to the bag limit on game;

Also: Senate Bill No. 466—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915, as amended;

Also: Senate Bill No. 547—An act to repeal section 637c of the Penal Code, relating to the taking of sea-lions;

Also: Senate Bill No. 464—An act to amend section 631c of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 120—An act granting to the city of Los Angeles the tide lands and submerged lands of the State within the boundaries of said city;

Also: Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners;

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following constitutional amendment was introduced:

By Senator Jones, H. C.: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 2, 3 and 7 of article IX thereof, relative to State Superintendent of Public Instruction, county superintendent of schools, State Board of Education and county boards of education.

Referred to Committee on Constitutional Amendments.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Senator Slater:

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same.

Request referred to Committee on Rules.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 192—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost

thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 731 -An act to provide for the establishment of set-back lines by any county, city or city and county along any present or proposed street or highway.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 302—An act to amend the title and sections 2, 3, 4, 9 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in the first line of the title after the word "sections" insert "one".

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On page 1, in line 14, of the printed bill, after the comma insert "or of any interest therein".

**Amendment adopted.**

##### AMENDMENT NUMBER THREE.

On page 1, in line 18, of the printed bill, strike out "approved March 24, 1903," and insert in lieu thereof a period and the following :

SEC. 2. Section 1 of said act approved March 24, 1903, as amended, is hereby amended to read as follows :

Section 1. Whenever the public interest or convenience may require, the city council of any municipality shall have full power and authority to order the laying out, opening, extending, widening, or straightening, in whole or in part, of any one or more of any public streets, squares, lanes, alleys, courts or places, within such municipality, and to acquire, by condemnation, any and all property necessary or convenient for that purpose or any interest therein including an easement or easements for the construction and maintenance of a walk or walks upon the surface of the earth or at any designated level or levels or slope or slopes together with a sufficient clearance height thereabove which height shall be conclusively determined and designated by the city council of such municipality and the leaving to the owner or owners of the right to maintain or construct and maintain any building or buildings or other structure or structures above or below, or above and below, such walk or walks and the clearance height thereabove so acquired by such municipality.

**Amendment adopted.**

##### AMENDMENT NUMBER FOUR.

On page 2, line 1, of the printed bill, change "2" the first time it occurs to "3"; and in line 30 change "3" the first time it occurs to "4"; on page 3, in line 36, change "4" the first time it occurs to "5"; on page 4, in line 42, change "5" to "6"; on page 5, in line 15, change "6" to "7", and in line 28 change "7" to "8".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities; providing for the letting of contracts therefor; providing for the formation of lighting maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation; providing for the levying of special assessment taxes on lands within such districts; and providing for municipalities paying any part of such expenses and making advances to the district fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation, and providing for the creation of offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, after the word "provided" strike out all down to and including line 19, and insert in lieu thereof the following: "*further provided, however, that probation shall not be granted to any defendant who at the time of the perpetration of the crime or at the time of his arrest was armed with a deadly weapon (unless at the time he had a lawful right to carry the same) nor to one who used or attempted to use a deadly weapon in connection with the perpetration of the crime, nor to one who in the perpetration of the crime inflicted or attempted to inflict great bodily injury or torture, nor to any defendant unless the court shall be satisfied that he has never in any place been previously convicted of a felony, nor to any public official or employee of the state, county, city, city and county, or other political subdivision thereof who in the discharge of the duties of his public office or employment accepts or gives or offers to accept or give a bribe or embezzles public money or is guilty of extortion in the discharge of his official duty.*"

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 4, line 34, of the printed bill, after the word "writing" add the following: "*provided, that in any subsequent prosecution of such defendant for any other offense such prior conviction may be pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed.*"

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 4, line 16, of the printed bill, after the word "discharged" add the following: "*subject to the provisions herein.*"

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 5, line 26, of the printed bill, after the figure "6" insert the following: "*In any county having a population of more than nine hundred thousand.*"

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 6, line 31, of the printed bill, after the figure "7" insert the following: "In any county having a population of more than nine hundred thousand there shall be one adult probation officer and eight assistant adult probation officers who shall receive salaries as follows: One adult probation officer three hundred dollars per month; one assistant adult probation officer two hundred twenty-five dollars per month; and seven assistant adult probation officers each one hundred seventy-five dollars per month."

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 250—An act to amend section 669 of the Penal Code, relating to terms of imprisonment.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 4 of the printed bill, strike out the words "before sentence has been pronounced upon him for either".

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

In line 9, of the printed bill, after the phrase "provided that" insert the words "in exceptional cases".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

In line 11 of the printed bill, after the end of the sentence ending with the word "made", add the following sentence: "In cases where the defendant has been convicted of murder in the first degree he shall be confined in a state prison pending the decision upon his appeal."

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 638—An act to amend the California Vehicle Act, approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 148, 151, and by adding thereto new sections to be numbered 19½ and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of this act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended in the Senate on March 11, 1927, on the last line of page 1 and the first line of page 2, strike out "twenty-five and one-half."

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

On page 10 of the printed bill, strike out all of lines 8 to 12, both inclusive.

**Amendment adopted.**

## AMENDMENT NUMBER THREE.

On page 10, line 13, of the printed bill, strike out "Sec. 4" and insert in lieu thereof "Sec. 3".

**Amendment adopted.**

## AMENDMENT NUMBER FOUR.

On page 10, line 25, of the printed bill, after the period, strike out the word "He" and insert in lieu thereof the following: "The chief".

**Amendment adopted.**

## AMENDMENT NUMBER FIVE.

On page 10, line 27, of the printed bill, after the word "operator's" insert the words "and chauffeur's".

**Amendment adopted.**

## AMENDMENT NUMBER SIX.

On page 10, line 35, of the printed bill, strike out "Sec. 6" and insert in lieu thereof "Sec. 5".

**Amendment adopted.**

## AMENDMENT NUMBER SEVEN.

On page 10, line 45, of the printed bill, after the words "legal owner," insert "and the address of the owner shall include the name of the county,".

**Amendment adopted.**

## AMENDMENT NUMBER EIGHT.

On page 11, line 12, of the printed bill, strike out "Sec. 8" and insert in lieu thereof "Sec. 6".

**Amendment adopted.**

## AMENDMENT NUMBER NINE.

On page 11, line 50, of the printed bill, strike out "Sec. 8" and insert in lieu thereof "Sec. 7".

**Amendment adopted.**

## AMENDMENT NUMBER TEN.

On page 12, line 15, of the printed bill, strike out "Sec. 9" and insert in lieu thereof "Sec. 8".

**Amendment adopted.**

## AMENDMENT NUMBER ELEVEN.

On page 12, line 32, of the printed bill, strike out "Sec. 10" and insert in lieu thereof "Sec. 9".

**Amendment adopted.**



## AMENDMENT NUMBER TWELVE.

On page 13, line 38, of the printed bill, strike out "Sec. 11" and insert in lieu thereof "Sec. 10".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 14, line 31, of the printed bill, strike out "Sec. 12" and insert in lieu thereof "Sec. 11".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 14, line 43, of the printed bill, after the word "vehicle" insert the following: "and shall not transfer the registration of such vehicle".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 15, line 13, of the printed bill, strike out "Sec. 13" and insert in lieu thereof "Sec. 12".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 15, line 30, of the printed bill, strike out "Sec. 14" and insert in lieu thereof "Sec. 13".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 15, line 43, of the printed bill, strike out "Sec. 15" and insert in lieu thereof "Sec. 14".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 16, line 11, of the printed bill, strike out "Sec. 16" and insert in lieu thereof "Sec. 15".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 16, line 37, of the printed bill, after the word "act" and before the period insert the following: "but any physical defect of the applicant which in the opinion of the division does not affect the applicant's ability to exercise reasonable and ordinary control in the operation of a motor vehicle shall not prevent the issuance of a license to the applicant".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 16, line 42, of the printed bill, strike out "Sec. 17" and insert in lieu thereof "Sec. 16".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 16, line 50, of the printed bill, after the word "provided" first appearing in the line, and before the word "an" insert the word "for".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-TWO.

On page 17, line 4, of the printed bill, strike out "Sec. 18" and insert in lieu thereof "Sec. 17".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-THREE.

On page 18, line 44, of the printed bill, strike out the word "begin" and insert in lieu thereof "beginning".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FOUR.

On page 19, line 21, of the printed bill, strike out "Sec. 19" and insert in lieu thereof "Sec. 18".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FIVE.

On page 19 of the printed bill, at the end of line 25, insert the following: "or owned by a voluntary fire department organized under the laws of this state when such vehicles are used exclusively for fire fighting purposes,".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SIX.

On page 19, line 41, of the printed bill, strike out "Sec. 20" and insert in lieu thereof "Sec. 19".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 20, line 6, of the printed bill, after the period insert the following: "The provisions of this section prohibiting the use of muffler cut-outs shall not apply to police or fire department vehicles."

Amendment adopted.

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 20, line 11, of the printed bill, strike out "Sec. 21" and insert in lieu thereof "Sec. 20".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-NINE.

On page 20, line 23, of the printed bill, strike out the word "hundred" and insert in lieu thereof "thousand"; and in line 21, strike out "(\$500)" and insert in lieu thereof the following: "(\$5,000)".

Amendment adopted.

## AMENDMENT NUMBER THIRTY.

On page 20, line 28, of the printed bill, strike out "Sec. 22" and insert in lieu thereof "Sec. 21".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-ONE.

On page 20 of the printed bill, at the end of line 45, insert the following: "(c) Every public highway shall be conclusively presumed to be outside of a business or residential district unless its existence within a business or residential district shall be established by clear and competent evidence as to the nature of the district, and unless sign-posted when and as required by this act."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-TWO.

On page 20, line 46, of the printed bill, strike out "Sec. 23" and insert in lieu thereof "Sec. 22".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-THREE.

On page 21, line 13, of the printed bill, strike out "Sec. 24" and insert in lieu thereof "Sec. 23".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-FOUR.

On page 21, line 29, of the printed bill, strike out "Sec. 25" and insert in lieu thereof "Sec. 24".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-FIVE.

On page 21, line 41, of the printed bill, strike out "Sec. 26" and insert in lieu thereof "Sec. 25".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-SIX.

On page 22, line 24, of the printed bill, strike out "Sec. 27" and insert in lieu thereof "Sec. 26".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-SEVEN.

On page 23, line 3, of the printed bill, strike out "Sec. 28" and insert in lieu thereof "Sec. 27".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-EIGHT.

On page 23, line 18, of the printed bill, strike out "Sec. 29" and insert in lieu thereof "Sec. 28".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-NINE.

On page 23, line 32, of the printed bill, strike out "Sec. 30" and insert in lieu thereof "Sec. 29".

Amendment adopted.

## AMENDMENT NUMBER FORTY.

On page 23, line 41, of the printed bill, strike out the word "an" and insert in lieu thereof the word "any".

Amendment adopted.

## AMENDMENT NUMBER FORTY-ONE.

On page 23, line 48, of the printed bill, strike out "Sec. 31" and insert in lieu thereof "Sec. 30".

Amendment adopted.

## AMENDMENT NUMBER FORTY-TWO.

On page 24, line 5, of the printed bill, after the word "operators'" first appearing in said line, insert the words "and chauffeurs'", and in line 6, after the word "operators'" insert the words "and chauffeurs'".

Amendment adopted.

## AMENDMENT NUMBER FORTY-THREE.

On page 25, line 31, of the printed bill, strike out the word "of" and insert in lieu thereof the word "the".

Amendment adopted.

## AMENDMENT NUMBER FORTY-FOUR.

On page 26, line 13, of the printed bill, strike out the word "authorized" and insert in lieu thereof the word "audited".

Amendment adopted.



## AMENDMENT NUMBER FORTY-FIVE.

On page 10, line 19, of the printed bill, strike out "Sec. 5" and insert in lieu thereof "Sec. 4".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

On motion of Senator Jones, H. C., Senate Bill No. 579 was passed on file.

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish

standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones, H. C., moved to refer Senate Bill No. 580 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 9, line 17, of the re-engrossed bill, after the word "of" insert the word "a".

AMENDMENT NUMBER TWO.

On page 11, line 22, of the re-engrossed bill, strike out the words "numerical count" and in lieu thereof substitute the word "size".

AMENDMENT NUMBER THREE.

On page 11, after line 32, of the re-engrossed bill, insert the following paragraphs: Containers of cherries which are loose, bunch faced or drop faced, may be marked with row sizes as herein defined, and when any container is so marked the average size of the cherries in the face, or exposed surface of the fruit, shall conform to the row size so marked; *provided further*, that the average size of cherries used in the fill shall not be smaller than one row size below that marked on the container.

The number of "row size" shall be deemed to be that number of cherries of uniform size whose aggregate width will equal nine inches. The diameter of cherries for the various "row sizes" shall be as follows: for an "8 row size", one and one-eighth inches, for a "9 row size", one inch, for a "10 row size", nine-tenths of one inch, for an "11 row size", nine-elevenths of one inch, for a "12 row size", nine-twelfths of one inch, and for a "13 row size", nine-thirteenthths of one inch.

AMENDMENT NUMBER FOUR.

On page 17, line 17, of the re-engrossed bill, strike out the word "raisin" and in lieu thereof substitute "raisined".

AMENDMENT NUMBER FIVE.

On page 17, line 17, of the re-engrossed bill, strike out the words "water berry" and in lieu thereof substitute the word "waterberry".

AMENDMENT NUMBER SIX.

On page 17, line 50, of the re-engrossed bill, following the period strike out the sentence beginning with the word "any" down to and including line 52, and in lieu thereof substitute the following paragraph:

Any grapes which fail to meet the requirements for unclassified grapes, because of immaturity, mold or decay, may be disposed of only as provided in sections 13 and 14 of this act, excepting that nothing in this act shall prevent a grower of grapes from selling part or all of his crop, which may fail to meet the requirements of unclassified grapes, to a purchaser for the sole and express purpose of being used by such purchaser for the manufacture of a by-product in the State of California, provided that each container of such grapes shall be plainly and conspicuously marked with the name and address of the grower, and, in letters not less than one-half inch in height, with the words "by-product grapes"; *provided, further*, that each such sale shall be made only under written permit of an enforcing officer of this act, who may require from the grower and or purchaser of such grapes such proof as he may deem necessary that they will be used only as herein provided.

AMENDMENT NUMBER SEVEN.

On page 22, line 32, of the re-engrossed bill, strike out the word "of" and in lieu thereof substitute the word "in".

AMENDMENT NUMBER EIGHT.

On page 23, line 3, of the re-engrossed bill, strike out the letter "s" in the word "containers".

AMENDMENT NUMBER NINE.

On page 23 of the re-engrossed bill, in lines 27, 29, 44 and 46, strike out the letter "g" in the word "codling".

AMENDMENT NUMBER TEN.

On page 27 of the re-engrossed bill, lines 36, 38, 47 and 49, strike out the letter "g" in the word "codling".

## AMENDMENT NUMBER ELEVEN.

On page 35, line 4. of the re-engrossed bill, insert a comma after the word "weight".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 580, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 768—An act to amend section 33 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to definitions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 768 passed by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Wagy, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 774—An act to amend section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a



method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended.

On motion of Senator Sharkey, Senate Bill No. 774 was passed on file.

Senate Bill No. 61—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 61 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Nelson, Sharkey, Slater, Taylor, Tubbs, Wagy, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489, and 490 of the Penal Code, and to add a new section to the Penal Code, to be numbered 490a, defining the crime of theft and prescribing punishment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 408 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Pedrotti, Sharkey, Slater, Taylor, Tubbs, and Wagy—26.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing transcripts of testimony and delivery of copy thereof to defendant.

On motion of Senator Baker, Senate Bill No. 399 was passed on file.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury.

On motion of Senator Baker, Senate Constitutional Amendment No. 9 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to jurisdiction of and divisions of supreme and appellate courts.

On motion of Senator Baker, Senate Constitutional Amendment No. 12 was passed on file.

Senate Bill No. 309—An act to amend section 2 of an act entitled "An act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913, as amended.

On motion of Senator Maloney, Senate Bill No. 309 was passed on file.

Senate Bill No. 833—An act to prevent the unauthorized use and disposition of and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 833 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, Mueller, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

On motion of Senator Sharkey, Senate Bill No. 99 was passed on file.

Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and/or other timber products by persons who by their own labor, and/or by using their live stock, machinery and/or appliances, assist in felling, preparing, and/or transporting logs and/or in manufacturing lumber and/or other timber products from such logs, providing for means by which the owner of such logs and/or products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract

price agreed upon between the said owner and any contractor, and making such liens prior to all other liens, claims or encumbrances, except the land owner's claim for a reasonable stumpage in cases where the land owner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers employed in logging camps upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same, approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 83 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, Mueller, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

On motion of Senator Maloney, Senate Bill No. 831 was passed on file.

Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for



the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows to wit: Section 8*a*, relating to the offices of assessor, collector and treasurer; section 8*b*, relating to consolidation and segregation of the offices of assessor and collector; section 8*c*, relating to deputies to assessor and collector; section 15*b*, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27*a*, relating to time for completion of assessment roll and time for equalizing assessments; section 27*b*, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28*a*, relating to levy of taxes by boards of supervisors; section 28*b*, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28*c*, relating to extension of time for duties in assessment, levy and collection of taxes; section 28*d*, relating to collection of unsecured taxes; section 28*e*, relating to addition of unpaid water tolls and charges to taxes; section 28*f*, relating to assessment lien; section 28*g*, relating to change of assessments and refund of erroneous taxes; section 28*h*, relating to notice that assessments are due and collection and delinquency of taxes; section 28*i*, relating to suit against delinquents to collect taxes; section 28*j*, relating to duty of collector on sale for delinquent taxes; section 28*k*, relating to sale for delinquent taxes; section 28*l*, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28*m*, relating to certificates of sale; section 28*n*, relating to record book of property sold for taxes and interest on redemption; section 28*o*, relating to redemption of property and collector's deed; section 28*p*, relating to delinquent taxes and deed on dissolution of district; section 28*q*, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28*r*, relating to assessment roll or delinquent list as prima facie evidence; section 28*s*, relating to misnomers; section 28*t*, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28*u*, relating to settlements between secretary and collector; section 29*a*, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 110 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, John-

son, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wag, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

On motion of Senator Boggs, Senate Bill No. 237 was passed on file.

Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

On motion of Senator Fellom, Senate Bill No. 90 was passed on file.

Senate Bill No. 844—An act to add a new section to the Political Code, to be numbered section 2643, relating to powers and duties of supervisors respecting roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 844 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wag, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 378—An act to amend section 1156 of the Penal Code, relating to special verdict in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 378 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Pedrotti, Sharkey, Slater, Taylor, Tubbs, and Wag—27.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 379—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 379 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Mueller, Pedrotti, Sharkey, Slater, Taylor, Tubbs, and Wagye—26.

NOES—Senators Fellom, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT, AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 309—An act to amend section 2 of an act entitled "An act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913, as amended;

Also: Senate Bill No. 521—An act to amend section 9 of and to add two new sections to be numbered 4m and 4n to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, relating to the registry of all dealers in seed and verification of origin statements;

Also: Senate Bill No. 342—An act requiring certain reports to be made concerning children with impaired hearing;

Also: Senate Bill No. 849—An act to amend an act entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto to be numbered section 26 to provide for the dissolution of such levee district;

Also: Senate Bill No. 488—An act to repeal section 321 of the Civil Code of the State of California, relating to books of banks which shall be open to inspection;

Also: Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers;

Also: Senate Bill No. 380—An act to amend section 1123 of the Penal Code, relating to alternate jurors;

Also: Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them;

Also: Senate Bill No. 376—An act to amend section 1180 of the Penal Code, relating to the effect of an order granting a new trial in criminal cases;

Also: Senate Bill No. 470—An act to amend section 1734c of the Political Code, relating to schools;

Also: Senate Bill No. 267—An act to amend section 3052 of the Civil Code providing for the sale of property by a lien holder, notice of sale and disposition of the proceeds;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.



## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 380—An act to amend section 1123 of the Penal Code, relating to alternate jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 380 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Pedrotti, Slater, Taylor, Tubbs, Wagy, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code, to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them.

On motion of Senator Baker, Senate Bill No. 381 was passed on file.

Senate Bill No. 376—An act to amend section 1180 of the Penal Code, relating to the effect of an order granting a new trial in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 376 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Nelson, Slater, Taylor, Tubbs, and Wagy—28.

NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 27—An act to amend section 647 of the Penal Code, defining and punishing the crime of vagrancy.

Bill read third time.

On motion of Senator Cobb, Senate Bill No. 27 was passed on file.

Senate Bill No. 410—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered 1256, and to repeal sections 1247, 1247a, 1247b, 1247c and 1247d of the Penal Code, relating to appeals in criminal cases.

On motion of Senator Baker, Senate Bill No. 410 was passed on file.

Senate Bill No. 375—An act to amend section 1181 of the Penal Code, relating to the grounds upon which new trials may be granted and providing for modification of verdicts in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 375 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, Mueller, Nelson, Slater, Taylor, and Tubbs—23.

NOES—Senators Fellom, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 404—An act to add a new section to the Penal Code to be numbered 681*b*, relating to punishment for criminal offenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Nelson, Sharkey, Slater, Taylor, Tubbs, Wagy, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 402—An act to amend section 825 of the Penal Code, relating to the time within which a defendant must be taken before a magistrate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 402 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Nelson, Slater, Tubbs, Wagy, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 401—An act to amend section 859 of the Penal Code, relating to the postponement of preliminary examinations for the purpose of obtaining counsel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 401 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, Mueller, Nelson, Sharkey, Slater, Tubbs, Wagy, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 391—An act to add a new section to the Penal Code, to be numbered 969*a*, relating to pleading prior convictions in indict-

ments or informations and providing for the filing of supplemental information, charging prior conviction which may have been omitted in original indictment or information.

On motion of Senator Baker, Senate Bill No. 391 was passed on file.

Senate Bill No. 463—An act to amend section 626*g* of the Penal Code, relating to the protection of game.

In the absence of the author, Senate Bill No. 463 was ordered passed on file.

Senate Bill No. 606—An act to permit the Fish and Game Commission to control predatory fish and animals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 606 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Nelson, Sharkey, Slater, Tubbs, Wagy, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 6—An act to amend sections 751, 752, 752*a*, 752*b*, 753, 754 755, 757, 760, 761, 762, 763, 764, 765, 766, 767, 769, 772, 773, 774, 776, 777, 778, 786, 788, 789, 790, 791, 797, 798, 806, 807, 808, 813, 851, 852, 852*a*, 852*b*, 853, 854, 855, 857, 858, 859, 860, 861, 862, 862*a*, 863, 864, 865, 867, 868, 870, 870*a*, 871, 872, 874, 875, 876, 878, 879, 880, 881, 882, 883, 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to city officers of cities of the fifth and sixth classes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 589—An act to amend section 852*a* of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, by providing that the electors of cities of the sixth class may, by majority vote, adopt either the commission or city manager plan of government; also that they may abolish the same by a like vote.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 421—An act to confirm a lease executed by the city of Richmond.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1151—An act to validate the organization and existence of municipal utility districts and declaring the urgency of said act.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 2, page 1, of the printed bill, strike out the words "portion of such county" and insert in lieu thereof the word "territory".

Amendment adopted.

## AMENDMENT NUMBER TWO.

Strike out the word "therein", line 5, page 1, of the printed bill.

Amendment adopted.

## AMENDMENT NUMBER THREE.

In lines 11 and 12, page 1, of the printed bill, and beginning immediately after the figures "1921," line 11, strike out the following: "or under the provisions of such act, as amended,".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

In line 2, page 2, of the printed bill, strike out the word "hereto" and substitute the word "heretofore".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

After the word "existed" in line 12, page 1, of the printed bill, add the words "de facto".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 443—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to the consolidation of voting precincts.

Bill read second time, and ordered on file for third reading.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 548—An act to amend section 1583 of the Political Code, relating to joint school districts;

Also: Assembly Bill No. 913—An act to amend section 4 of an act entitled "An act to create a fund to be known as the United States Forest Reserve fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of the expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to apportionment of unapportioned funds;

Also: Assembly Bill No. 956—An act to amend an act entitled "An act to provide for the gathering of data concerning teachers of California who are bound by the provisions of 'An act to provide for the payment of retirement salaries to the public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds and making an appropriation for the uses of said funds," approved June 16, 1913," approved May 22, 1925;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 548, 913 and 956 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 957—An act to amend sections 5, 13 and 14 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

SLATER, Chairman.

Assembly Bill No. 957 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 183—An act to add a new section to the Political Code, to be numbered 1607f, relating to the powers and duties of boards of trustees and city boards of education and authorizing such boards to establish, equip and maintain buildings to house employees of the school district;

Also: Senate Bill No. 536—An act to amend section 1543a of the Political Code, relating to the payment of interest on unpaid orders or demands against any school district;

Also: Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

SLATER, Chairman.

Senate Bills Nos. 536, 183 and 570 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 319—An act to establish a Division of School Planning in the State Department of Education and making an appropriation therefor;

Also: Senate Bill No. 574—An act to amend an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a Vocational Rehabilitation fund and making an appropriation therefor," approved June 3, 1921, as amended, by adding a new section thereto to be numbered 8, and making an additional appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—12; absent—3.

SLATER, Chairman.

Senate Bills Nos. 319 and 574 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443, and 1760 of the Political Code, relating to education, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—12; absent—3.

SLATER, Chairman.

Senate Bill No. 630 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein:

Also: Senate Bill No. 670—An act to authorize the creation of county adjustment schools for the care of minors under eighteen years of age; to provide for maintenance and management of same, and the making of commitments and transfer of said minors thereto, and the support of said minors therein;

Also: Senate Bill No. 806—An act to amend section 1608 of the Political Code, relating to the powers and duties of school boards;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

SLATER, Chairman.

Senate Bills Nos. 430, 670 and 806 ordered on file for second reading.

#### ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 328—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to crossings of roads, highways, and railroads by railroads or street railroads at grade, the separation of grades at such crossings, and the apportionment of the cost of the construction, reconstruction, alteration or relocation of such crossings and separations of grade and relating to proceedings in eminent domain before the Railroad Commission of the State of California in connection with the separation of grades at any such crossing or in connection with the construction, alteration or relocation of elevated tracks or subways for any railroad or street railroad over or under any public road, street, highway, or private right of way, or of any public road, street, or highway over or under the tracks of any railroad corporation or street railroad corporation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to the committee.

Committee membership—11; committee vote: Ayes—7; absent—4.

WAGY, Chairman.

Senate Bill No. 328 ordered on file for second reading.

#### ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of twenty-five million dollars for the acquisition of rights of way for bridges and railroad crossings on the roads within the primary road system of the State of California, and for the construction of said bridges and railroad crossings by the California Highway Commission—has had the same under consideration, and respectfully reports the same back with amendments, and recom-



mends that the amendments be adopted, and that it be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 18 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof, a new section to be numbered 5, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of \$1,000,000 for the purpose of providing a fund to be used and disbursed for the purpose of an Olympiad to be held in California in 1932—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—7; absent—2.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 24 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 8, article XIII of the constitution of the State, relative to revenue and taxation—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 17 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations be amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to Committee on Constitutional Amendments.

Committee membership—9; committee vote: Ayes—7; absent—2.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 22 ordered on file.

#### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 9, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 5—An act to provide for the organization and creation of improvement districts within irrigation districts organized under the "California Irrigation District Act," to provide for the construction of improvements therein, and for the levy of assessments on the lands of such improvement districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 5 ordered on file for second reading.

#### RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of six hundred forty-three dollars and eighty-seven cents (\$643.87) to pay the following bills:

E. H. Cox, for hanging flags in Senate Chamber-----	\$5 00
Purnell Stationery Company, stationery-----	10 80
The Letter Shop, multigraphing-----	18 00
H. S. Crocker Company, stationery-----	32 10
John Breuner Company, reupholstering of chair-----	12 35
Cascade Towel Supply Company, towels supplied to Senate-----	20 90
Carithers Sign Company, lettering doors for Senate Committees, etc.-----	37 00
Pacific Telephone and Telegraph Company, telephone services---	17 55
Western Union Telegraph Company, telegraph services-----	6 87
State Supply Department, for supplies-----	483 30
<b>Total -----</b>	<b>\$643 87</b>

The same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

### Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Nelson, Sharkey, Slater, Tubbs, Wagy, and West—25.  
NOES—None.

### Also:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300) for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

### Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Nelson, Sharkey, Slater, Tubbs, Wagy, and West—24.  
NOES—None.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class:

Also: Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16r4 consecutively to 16r58 to an act entitled "An act to establish a standard of weights and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, ware packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended;

Also: Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class;

Also: Senate Bill No. 229—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Senate Bill No. 255—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class;

Also: Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CHRISTIAN, Chairman.

Senate Bills Nos. 66, 96, 101, 229, 255 and 345 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration and burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners;

Also: Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a and 11 of an act entitled "An act to provide for the formation, management, and dissolution, of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CHRISTIAN, Chairman.

Senate Bills Nos. 230 and 687 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it be re-referred to this committee.

Committee membership—11; committee vote: Ayes—10; absent—1.

CHRISTIAN, Chairman.

Senate Bill No. 326 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 232—An act to amend section 294 of the Penal Code, relating to custody of dead bodies;

Also: Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend;

Also: Senate Bill No. 347—An act to amend section 2646 of the Political Code, relating to the maintenance and repair of county highways;

Also: Senate Bill No. 655—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended,



relating to the purchase of materials and supplies and providing for cooperation of said flood control district with public and private corporations;

Also: Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

CHRISTIAN, Chairman.

Senate Bills Nos. 232, 233, 347, 655 and 846 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 209—An act to amend section 2322x11 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the eleventh class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

CHRISTIAN, Chairman.

Assembly Bill No. 209 ordered on file for second reading.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 233—An act to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and, for that purpose, to construct or acquire spreading basins, sinking wells and sinking basins and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of common benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of water therefrom; to provide for the levying and collecting of taxes and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hollister moved to refer Assembly Bill No. 233 to Senator Baker, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 12, line 46, of the amended printed bill, following the word "warrant", insert the words "of the county auditor, drawn upon an order".

##### AMENDMENT NUMBER TWO.

On page 14, lines 34 and 35, of the printed bill, strike out the words "first meeting of the board of supervisors in September", and insert in lieu thereof the words "fifteenth day of August".

## AMENDMENT NUMBER THREE.

On page 15, line 15, of the printed bill, change period to comma, and add, "as revised by said board of supervisors".

## AMENDMENT NUMBER FOUR.

On page 15, line 33, of the printed bill, change period to a semicolon, and add *provided*, that if a fraction of a cent occur on a valuation of one hundred dollars, it shall be taken as a full cent."

## AMENDMENT NUMBER FIVE.

On page 16, line 17, of the printed bill, following the word "the", insert the words "county auditor, drawn upon orders of the".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 233, with instructions to amend, respectfully report the same back, amended as per instructions.

BAKER, Special Committee.

Report read, and on motion of Senator Hollister adopted.

Bill ordered to print and re-engrossment.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 487—An act to add a new section to the Civil Code, to be numbered section 3321, relating to the measure of damages by the payment of a check which has been ordered stopped.

Also, Senate Bill No. 486—An act to add a new section to the Civil Code, to be numbered section 3265a, relating to the stopping of payment of checks; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

## ADJOURNMENT.

At one o'clock p.m., on motion of Senator Breed, the presiding Senator declared the Senate adjourned until eleven o'clock a.m., Monday, March 21, 1927.

## IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Monday, March 21, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m. Lieutenant Governor Byron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cook, Crowley, Evans, Feltus, Gattorno, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kane, Lyon, Maloney, McKelvey, Mueller, Murphy, Nelson, Peterson, Sackett, Sauer, Strong, Taylor, Totten, Wertz, Wines, West, and Young—25.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 18, 1927, the further reading was dispensed with, on motion of Senator West.

## LEAVE OF ABSENCE.

Senator Handy was, on motion of Senator Slater, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. F. M. Chandler of Santa Cruz, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Captain and Mrs. Harry Insly of Los Angeles, California, and Leon McArdle, Commander Los Angeles County Council, American Legion.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Carey Van Fleet of San Francisco, California, and Mr. and Mrs. Herbert Clark of Alameda, California.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. B. M. Carner, Mrs. B. M. Carner, and Mr. J. Hargens of Gonzales, California; Dr. William L. Tower of Carmel, California, and Gonzales Union High School students as follows: Ivan Cryts, John Herndon, Winston Morrill, Paul Levernette, Leslie Tarp, Edna Binsacca, Marie Gambetta, Violet Smith, and Gladys Tholeke; Mrs. Paul Bianchi, Jr., instructor, and Mr. Paul Bianchi, Jr.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Sisters of Mercy: Sister Mary Gabriel and Sister Mary, and the following pupils of St. Joseph's Academy: Gertrude Hoefing, Martha Dromey, Agnes Hannah, Hellen Millen, Olga Ashwander, Margaret Fitzgerald, Margaret Williams, Jane Moer, Ruth Negrich, Louise Fuches, Ida Harrington, Elsie Carmody, Virginia Nealis, Elsie Smith, Dorothy Lewis, Margaret Marty, Dorothy Kinney, and Rita Regan.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. M. J. Boggs of Colusa, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. James A. Hall, vice commander of the American Legion, of Hemet, California; William Getty of Santa Ana, California, Fifth Area Commander of the American Legion.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Louis J. Gilbert of San Francisco, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Paul Cramer and Mrs. Genevieve Dahy Cramer, past commander, Hollywood Women's Post 185, vice commander, Dept. of California, Los Angeles, California.



On request of Senator Lyon, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Lotus La Fleur, Gwendlyn D'Amour, Ora Carew, and Mrs. Leona White of Los Angeles, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Helene McDowell of Fresno, and Mrs. Martha McGinnis of Sacramento.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Frederick A. Cradle, principal, and pupils of eighth grade, Maxwell Union Grammar School as follows: David Monroe, Oran Williams, Lonzo Crawford, Elizabeth Carpenter, Louise Sutton, Evelyn Finks, Volera Dernis, Cecelia Riordan, Bess Finks, Sena Deffesen, Theresa Brown, Lillian Brown, Nelda Lausten, Constance Lausten, Nilbur Rutherford, Paul Pearson and Cecil Lausten; and O. Rutherford, Mrs. O. Rutherford, and Mrs. C. Lausten.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Richard W. Ruffin of Chihuahua, Mexico.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George A. Glover of Los Angeles, California.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Herbert McDowell of Fresno, California, former Assemblyman from the Fifty-first District.

#### COMMUNICATION.

The following communication was received and, on motion of Senator Tubbs, ordered printed in the Journal:

#### REPORT OF THE CALIFORNIA LEGISLATIVE BALL.

Held March 16, 1927.

RECEIPTS.	
Members of the Senate.....	\$200 00
Members of the Assembly.....	365 00
Attaches of the Senate.....	79 50
Attaches of the Assembly.....	53 00
Sacramento Chamber of Commerce and others.....	563 00
Total .....	\$1,260 50
EXPENDITURES.	
Rent of Auditorium.....	\$175 00
Lights, stage hands, scenic effects, etc.....	78 50
Music .....	221 10
Punch, candy, wafers, etc.....	175 00
Decorations .....	100 00
Favors, serpentine, hats, etc.....	84 70
Printing, multigraphing, stenographers.....	54 25
Flowers .....	11 50
Special officers .....	30 00
Cost of entertainment.....	16 15
Drayage, express, etc.....	5 84
Incidentals .....	20 00
Total .....	\$972 04

## RECAPITULATION.

Total receipts -----	\$1,260 50
Total expenditures -----	972 04
Total balance -----	\$288 46

Very respectfully submitted.

## FINANCE COMMITTEE CALIFORNIA LEGISLATIVE BALL.

By CORA M. WOODBRIDGE.  
CHARLES F. REINDOLLAR.  
WALTER J. LITTLE.  
TALLANT TUBBS.  
J. M. INMAN.  
HARRY A. CHAMBERLIN.

ARTHUR P. CRANER, Secretary of the committees.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

RIVERSIDE CHAMBER OF COMMERCE.  
RIVERSIDE, CALIFORNIA.

WHEREAS, There has been introduced into the Legislature of the State of California, Senate Bills Nos. 729, 730, 732 and Assembly Bills Nos. 1083, 1084 and 1093, the purpose of which is practically identical with that of the Lyon bill introduced into the 1923 session of the Legislature; and

WHEREAS, The above bills seek amendment to the Code of Civil Procedure to permit the condemnation of water and power sites now dedicated to and in the service of the public, by municipalities or political subdivisions outside the territory now being served by such water and power sites; and

WHEREAS, The city of Los Angeles has hitherto filed condemnation proceedings upon the power plant and sites of the Southern Sierras Power Company, known as the Owens River Gorge plant, which suit was finally decided against the city of Los Angeles by the Supreme Court of the United States; and

WHEREAS, This Chamber of Commerce at the time of filing said suit adopted a resolution protesting against the condemnation of said power plant by the city of Los Angeles, on the ground that said power plant served Riverside County and other interior counties with light and power; and

WHEREAS, The same conditions still obtain and, moreover, a part of the city of Riverside is now served with light and power from the Owens River Gorge plants; and

WHEREAS, The board of directors of the Chamber of Commerce, backed by the findings and recommendations of the legislative committee of the Chamber of Commerce based on a study of this proposed legislation and the foregoing legal and legislative attempts by the city of Los Angeles to condemn this plant, is of opinion that the above bills seek to accomplish by special legislation the condemnation of water and power sites by municipalities, regardless of the fact that such water and power sites may now serve the general public and other municipalities which are protected from such encroachment and deprivation by the present law; and

WHEREAS, The board of directors of the Riverside Chamber of Commerce believes that the above bills, and all similar effort to evade, contravene and supersede the statute and basic law as it now stands, with the purpose of conferring the State's right of eminent domain upon a political subdivision of the State, to be used to the injury and deprivation of other political subdivisions, are subversive in principle and should be defeated as against the general public policy and the welfare, particularly of the interior counties of southern California; now, therefore, it is hereby

Resolved, That the Riverside Chamber of Commerce, by the board of directors, protest against the passage of Senate bills Nos. 729, 730, 732 and Assembly bills Nos. 1083, 1084 and 1093 in the Legislature, or any other bill of similar import, and urge the representatives of Riverside in the Legislature to use their influence and votes against the passage of said bills.

Witness our hand and seal this seventh day of March, 1927.

## RIVERSIDE CHAMBER OF COMMERCE.

By C. A. GILESPIE, President.

Attest: M. L. SCHOENTHAL,  
Managing Secretary.

## COMMUNICATION.

The following communication was received by the Secretary, and on motion of Senator Breed, ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, Sunday, March 20, 1927.

*To Members of the Senate.*

May I please take a few minutes of your busy time to express my appreciation for the beautiful flowers and good wishes you so thoughtfully sent me.

Sincerely,

MRS. BURON FITTS.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 728—An act to amend section 2687 of the Political Code, relating to laying out roads;

Also: Assembly Bill No. 999—An act to provide that in case the people of the city of Alameda should vote to exclude any of their salt marsh, tide or submerged lands, and thereafter the people of the city of Oakland should vote to annex the same, then the city of Alameda through its proper officials may grant said lands to the city of Oakland;

Also: Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 1095—An act to recognize and declare valid all proceedings in the organization, formation, and enlargement of Nevada Irrigation District;

Also: Assembly Bill No. 1112—An act to add a new section to the Political Code, to be numbered 3596, relating to the Governor's Council;

Also: Assembly Bill No. 1135—An act to amend section 57 and to repeal section 85 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the disposition of funds;

Also: Assembly Bill No. 1176—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II, embracing sections 373 to 373i, relating to a Department of Natural Resources;

Also: Assembly Bill No. 1184—An act to amend section 1126 of the Political Code, relating to authorizing supervisors to consolidate election precincts.

ARTHUR A. O'HINIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 728 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 999 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1006 read first time, and referred to Committee on County Government.

Assembly Bill No. 1095 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1112 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1135 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1176 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1184 read first time, and referred to Committee on Elections.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 498—An act to amend section 1 of an act entitled "An act to prevent the importation into the State of California of horses, mules, dairy cattle, breeding bulls, goats, breeding bucks and sheep, which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection and certification, providing penalties for violating any of the provisions of this act, and repealing an act approved June 4, 1913, entitled 'An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease: to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules and asses, affected with glanders into the State of California,' approved March 7, 1911; and repealing an act entitled 'An act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this act, and repealing an act approved June 4, 1913, entitled 'An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease: to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules and asses affected with glanders into the State of California,' approved March 7, 1911,'" approved April 12, 1915, as amended, relating to health certificate and fee therefor;

Also: Assembly Bill No. 559—An act to amend section 4269 of the Political Code, relating to salaries, fees, and expenses of county officers of counties of the fortieth class;

Also: Assembly Bill No. 584—An act to amend section 4282 of the Political Code, relating to salaries of officers in counties of the fifty-third class;

Also: Assembly Bill No. 585—An act to amend sections 4276 of the Political Code, relating to the salaries and fees of officials in counties of the forty-seventh class;

Also: Assembly Bill No. 687—An act to amend sections 4, 6, 7 and 8 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to the powers and duties of the Veterans' Welfare Board.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 498 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bills Nos. 559, 584 and 585 read first time, and referred to Committee on County Government.

Assembly Bill No. 687 read first time, and referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-fifth class;

Also: Assembly Bill No. 419—An act to amend section 9a13 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary of the county librarian in the counties of the thirteenth class;

Also: Assembly Bill No. 440—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund;

Also: Assembly Bill No. 514—An act to amend section 2322~~52~~ of the Political Code, relating to fees and salaries of the horticultural commissioner and his assistants in counties of the fifty-second class;

Also: Assembly Bill No. 544—An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purpose, and to create a board of police commissioners.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk

Assembly Bills Nos. 417 and 419 read first time, and referred to Committee on County Government.

Assembly Bill No. 440 read first time, and referred to Committee on Manufactures.

Assembly Bill No. 514 read first time, and referred to Committee on County Government.

Assembly Bill No. 544 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Also: Assembly Bill No. 95—An act to amend section 2322~~52~~18 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors, in counties of the eighteenth class:

Also: Assembly Bill No. 113—An act to amend section 4239 of the Political Code, relating to salaries, fees and expenses of officers of counties of the tenth class:

Also: Assembly Bill No. 149—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof:

Also: Assembly Bill No. 287—An act to amend section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, said section relating to salaries of county librarians in counties of the tenth class:

Also: Assembly Bill No. 289—An act to amend section 19~~10~~ of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of the probation officer and assistants and deputies in counties of the tenth class:

Also: Assembly Bill No. 407—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 95, 113, 149, 287, 289 read first time, and referred to Committee on County Government.

Assembly Bill No. 407 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 171—An act to add a new section to be numbered 7 $\frac{1}{2}$  to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, conferring jurisdiction upon the Railroad Commission to award reparation against transportation companies.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 171 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 3—Relative to the Congressional Reapportionment of the United States.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Joint Resolution No. 3 read, and referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Rules to which was referred the request of Senator McKinley, to introduce a bill entitled—An act to amend an act entitled "An act to define and regulate the business of banking" approved March 1, 1909, as amended, designated the "Bank Act," by adding a new section to be numbered section 9a, relating to the regulation of the business of banking, has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4, absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister Hurley, Ingram Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator McKinley: Senate Bill No. 861—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by adding a new section, to be numbered section 9a, relating to the regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Baker, to introduce a bill entitled—An act relating to the liability in damages of public officers, regulating and declaring the liability in damages of counties, municipalities, school and other districts of a public character, and repealing an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property, approved April 26, 1911, approved May 18, 1919," and also repealing an act entitled "An act limiting the liability of supervisors, city trustees, city councils, board of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of action in certain instances," approved June 13, 1923, and all other acts and parts of acts in



conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Baker: Senate Bill No. 862—An act relating to the liability in damages of public officers, regulating and declaring the liability in damages of counties, municipalities, school and other districts of a public character and repealing an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911, approved May 18, 1919," and also repealing an act entitled "An act limiting the liability of supervisors, city trustees, city councils, board of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of action in certain instances," approved June 13, 1923, and all other acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Murphy to introduce a bill entitled—An act to provide for the escheat to the State of California of all moneys collected by any public utility in excess of the rate fixed by the Railroad Commission or other rate fixing body which shall have remained unclaimed for more than four years after the final determination of the legality of such rates and to provide procedure for the collection and disposition thereof and the filing of reports in respect thereto and to provide penalties for the violation of the same—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Murphy: Senate Bill No. 863—An act to provide for the escheat to the State of California of all moneys collected by any public utility in excess of the rate fixed by the Railroad Commission or other rate fixing body which shall have remained unclaimed for more than four years after the final determination of the legality of such rates, and to provide procedure for the collection and disposition thereof and the filing of reports in respect thereto and to provide penalties for the violation of the same.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nelson, to introduce a bill entitled—An act to amend section 2620 of the Political Code, relating to the width of highways—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Nelson: Senate Bill No. 864—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read first time, and referred to Committee on Roads and Highways.

## ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 292—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

TAYLOR, Chairman.  
INMAN.  
NELSON.  
CHAMBERLIN.  
CANEPA.  
MUELLER.  
GRAY.  
EVANS.  
HURLEY.

Assembly Bill No. 292 ordered on file for second reading.

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expend-

iture of funds for the construction, maintenance and improvement of State highways—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 639—An act to amend sections 2, 3, 4, 5, 6 and 7 of and to add a new section to be numbered 1m to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921:

Also: Senate Bill No. 489—An act to add a new section to the Civil Code, to be numbered section 3265f, relating to actions for paying checks after payment has been stopped:

Also: Senate Bill No. 604—An act to define certain words and phrases used in laws governing the protection of fish and game in the State of California:

Also: Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the fish and game commissioners:

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section IV of article VI thereof, relating to jurisdiction of, and divisions of supreme and appellate courts:

Also: Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the cost, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts:

Also: Senate Bill No. 731—An act to provide for the establishment of future street lines by any county, city or city and county along any present or proposed street or highway:

Also: Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities: providing for the letting of contracts therefor: providing for the formation of lighting maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation: providing for the levying of special assessment taxes on lands within such districts: and providing for municipalities paying any part of such expenses and making advances to the district fund:

Also: Senate Bill No. 250—An act to amend section 669 of the Penal Code, relating to terms of imprisonment:

Also: Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases:

Also: Senate Bill No. 185—An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of pre-delinquent, delinquent, psychopathic and maladjusted children, and providing for the payment of the expenses of the commission:

Also: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 8, article XIII of the constitution of the State, relative to revenue and taxation:

Also: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof, a new section to be numbered 5, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of one million dollars for the purpose of providing a fund to be used and disbursed for the purpose of an Olympiad to be held in California in 1932: And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 280—An act to amend section 4300f of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts:

Also: Senate Bill No. 349—An act to add a new chapter to be numbered chapter IIa, embracing section 2980 to division III, part 1, title XIV of the Civil Code, relating to conditional sales:



Also: Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to age majority;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, H. C., Chairman.

Senate Bills Nos. 280, 349 and 428 ordered on file for second reading.  
Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 116—An act to amend section 4300f of the Political Code, relating to fees of jurors;

Also: Senate Bill No. 165—An act to amend section 6534c of the Civil Code, relating to nonprofit cooperative corporations;

Also: Senate Bill No. 168—An act to amend sections 653ff, 653kk, and 653jj of the Civil Code, relating to nonprofit cooperative associations with or without capital stock;

Also: Senate Bill No. 212—An act to add a new section to the Code of Civil Procedure, to be numbered 1770a, relating to the management of the estate of an incompetent ward, to expenditures that may be made therefrom, and the procedure to be followed in obtaining the order of the court for such expenditures;

Also: Senate Bill No. 448—An act to amend the title and section 1 of an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Senate Bill No. 808—An act to amend section 4463 of the Political Code, relating to newspapers;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, H. C., Chairman.

Senate Bills Nos. 116, 165, 168, 212, 448 and 808 ordered on file for second reading.

#### ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 17, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of article IV, relating to the expenditure of public money in State aid—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 21 ordered on file.

#### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 1077—An act to amend section 1 of an act entitled "An act providing for topographic surveys and investigations of the water resources of the State and making an appropriation therefor," approved April 22, 1909—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

EVANS, Chairman.  
YOUNG.  
INGRAM.  
WELLER.  
KLINE.  
GARRISON.  
HOLLISTER.

Assembly Bill No. 1077 ordered on file for second reading.

## ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 45—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, so as to prohibit the acceptance of more than one deposit as a fee for the same position—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 45 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in applications therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the Commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 44 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 43—An act to amend section 18 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by providing for penalties for violations of the said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 43 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 41—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the

Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the license fees to be paid by licensed employment agencies and surety bonds required of them—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

MURPHY, Chairman.

Senate Bill No. 41 ordered on file for second reading.

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Slater to introduce a bill entitled—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, and West—32.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Slater: Senate Bill No. 865—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the court of claims in the event that the Congress of the United States authorize the same.

Bill read first time, and referred to Committee on Finance.

#### MOTION.

Senator Breed moved that the amendment to the standing rules of the Senate, as printed in the Journal of March 11, be adopted.

31a. Adoption of amendments to any bill by the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 183—An act to add a new section to the Political Code to be numbered 1607f, relating to the powers and duties of boards of trustees and city boards of education and authorizing such boards to



establish, equip and maintain buildings to house employees of the school district.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 536—An act to amend section 1543a of the Political Code, relating to the payment of interest on unpaid orders or demands against any school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443 and 1760 of the Political Code, relating to education, and making an appropriation therefor.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, following the word "of" strike out the following: "the various physically handicapped children within the school district, including".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, following the second comma strike out the word "the" and add in lieu thereof the word "those".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, following the word "designate" strike out the period and in lieu thereof add a semicolon, and then add the following: "*provided*, that no child shall be required to take advantage of such special educational opportunities when the parent or guardian files a statement with the governing board of the school district showing that the child is receiving adequate educational advantages."

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 20, of the printed bill, following the latter part of the word "individual" strike out the words "under the terms" and add in lieu thereof the following: "for the purpose".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2, line 7, of the printed bill, following the period add the following: "For those with defective or diminished vision sight-saving classes may be organized in addition to any other methods used."

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 3, line 3, of the printed bill, following the period add the following: "The governing board of any school district may provide for the necessary care during school hours of children whose attendance at school has been irregular because of physical handicaps, and for that purpose may employ such persons as may be needed to give these children such care as is necessary to keep them in school."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 3, line 4, of the printed bill, following the word "July", strike out the word "fifteenth" and add in lieu thereof the word "tenth".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3, line 12, of the printed bill, following the word "costs" add the following: "Including transportation".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 3, line 16, of the printed bill, strike out the word "school".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 3, line 24, of the printed bill, following the word "in" strike out the words "the act through an assistant. The superintendent of public instruction" and add in lieu thereof the following: "this section and he".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 3, line 26, of the printed bill, following the word "appoint" strike out the word "such" and add in lieu thereof the word "an".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 3, line 35, of the printed bill, following the word "county" strike out the comma.

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 3, line 36, of the printed bill, following the word "schools" strike out the word "and" and add in lieu thereof a comma.

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 3, line 38, of the printed bill, following the word "schools" strike out the word "and" and add in lieu thereof a comma.

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 3, line 43, of the printed bill, following the word "section" strike out the semicolon "and", and add in lieu thereof a comma.

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 3, line 43, of the printed bill, following the word "amount" add the words "including transportation".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 3, line 47, of the printed bill, following the word "code" strike out the semicolon and add in lieu thereof a comma.

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 4, line 18, of the printed bill, following the third comma, strike out the following: "at least ten days before the first day of the month in which the board of supervisors of such county, or city and county, is required by law to levy the amount of taxes required for county, or city and county purposes," and add in lieu thereof the following: "on or before the twentieth day of July in each year,".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 4, line 23, of the printed bill, following the word "the", add the word "county".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY.

On page 4, line 34, of the printed bill, following the word "pupils", add the words "in elementary school districts".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 46, of the printed bill, following the word "pupils", add the words "in high school districts".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 9, of the printed bill, following the period add new paragraphs as follows:

He shall compare the total amount thus determined with twice the estimated amount of money to be received from the state high school fund during the current school year for the support of the public day and evening secondary and technical schools of the county, or city and county, as shown by the report and estimate of the superintendent of public instruction, made to him not later than August fifteenth of the current school year.

He shall report in writing to the board of supervisors the larger of the two amounts as the minimum amount of county, or city and county, school money required to be raised by a county, or city and county, school tax for the support of the public day and evening high schools of the county, or city and county, for the current school year.

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 17, of the printed bill, following the word "ten", strike out the word "units" and add in lieu thereof the word "days".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-FOUR.

On page 8, line 14, of the printed bill, following the word "state", strike out the period and add in lieu thereof a comma and then add the following: "except as hereinafter provided.

Whenever a special day or evening class for adults is established, except classes maintained in English and citizenship for foreigners and classes in elementary subjects, the governing board of the high school district may charge a tuition not to exceed six dollars a term per pupil; *provided*, the charge per pupil shall not exceed the estimated cost to the district per pupil for maintaining such class; *and provided*, *further*, that seventy-five per cent of the total receipts from such fees shall be spent for teachers' salaries."

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-FIVE.

On page 9, line 36, of the printed bill, following the word "Fifth—", strike out the following: "A minimum full day's attendance on the regular full-time elementary day school as hereby established is, for a pupil of the first, second, or third grade, two hundred minutes, and for a pupil of the fourth, fifth, sixth, seventh, or eighth grade, two hundred forty minutes, of actual attendance for any given day upon school sessions, exclusive of intermissions. When a pupil is absent from the first, second, or third grade of a regular full-time day school, for any day, session, or part of a session, five per cent of a day's absence must be recorded for each full ten-minute period of absence; and when a pupil is absent from any other grade of said elementary school for any day, session or part of a session, five per cent of a day's absence must be recorded for each full twelve-minute period of absence; *provided*, *however*, that such record may not for any one day exceed one hundred per cent." and add in lieu thereof the following:

The board of trustees or the city board of education, of each school district shall fix the length of the school day for the kindergarten schools and for the elementary schools. A minimum school day's attendance for pupils of the kindergarten schools



shall be one hundred forty minutes; for pupils of grades one, two, and three of the elementary schools shall be two hundred minutes and for pupils of grades four, five, six, seven and eight of the elementary schools shall be two hundred forty minutes, exclusive of intermissions and recesses. In fixing the length of the school day each board shall fix a day whose length shall be multiple of twenty minutes and shall place the noon intermissions so that the length of the parts of the day before and after the intermission shall each be a multiple of twenty minutes. The board shall divide its established school day into twenty periods of equal length, and any pupil who is absent one or more full periods shall be marked absent five per cent of his school day for each of such full period absences.

**Amendment adopted.**

AMENDMENT NUMBER TWENTY-SIX.

On page 12, line 10, of the printed bill, following the word "code", strike out the comma and add in lieu thereof a period.

**Amendment adopted.**

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 11, of the printed bill, strike out the word "and", and capitalize the letter "A" in the word "After".

**Amendment adopted.**

AMENDMENT NUMBER TWENTY EIGHT.

On page 12, line 14, of the printed bill, following the word "an", add the word "additional".

**Amendment adopted.**

AMENDMENT NUMBER TWENTY-NINE.

On page 12, line 16, of the printed bill, following the word "pupils", add the following: "in elementary school districts".

**Amendment adopted.**

AMENDMENT NUMBER THIRTY.

On page 1, line 7, of the printed bill, following the second comma, strike out the words "the partially blind", and add in lieu thereof the following: "those with defective or diminished vision".

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein."

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 8, line 47, of the printed bill, strike out "first Monday of September" and insert in lieu thereof the following: "twentieth day of July".

**Amendment adopted.**

AMENDMENT NUMBER TWO.

On page 9, lines 29, 30 and 31, of the printed bill, strike out "first day of the month in which the board of supervisors is required by law to levy the taxes required for county purposes" and insert in lieu thereof the following: "twentieth day of July of each year".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 670—An act to authorize the creation of county adjustment schools for the care of minors under eighteen years of age; to provide for the maintenance and management of same, and the making of commitments and transfer of said minors thereto, and the support of said minors therein.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 42, of the printed bill, strike out the word "either:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 43, of the printed bill, strike out the "(1)" and commence word following by substituting "c" for "C". Immediately after the word "are" on line 42, continue with the word "committed" on line 43.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 48, of the printed bill, after the word "amended", strike out ", or" and insert in lieu thereof "."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 49, of the printed bill, strike out beginning with "(2)" down to and including line 5, of page 5, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 6, of the printed bill, strike out the words "placed in" and insert in lieu thereof the words "committed to".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 8, of the printed bill, strike out ",".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 9, of the printed bill, strike out "(1) If committed thereto by order of the juvenile court".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

Immediately after the word "therein" on page 5, line 8, of the printed bill, continue with the word "for" on line 9, page 5, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 16, of the printed bill, strike out beginning with "(2)" down to and including line 32.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 38, of the printed bill, strike out the words "or to the superintendent of schools, as the case may be,".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 5, line 39, of the printed bill, strike out the words "or said superintendent".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 5, line 40, of the printed bill, strike out the words "or his".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 5, line 42, of the printed bill, strike out the words "or order".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 6, line 1, of the printed bill, strike out beginning with the word "Any" down to and including line 6 of the printed bill.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 806—An act to amend section 1608 of the Political Code, relating to the powers and duties of school boards.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, in lines 21 and 22, of the printed bill, after the word "solvent", in line 21, strike out the words "insurance company doing business in this state" and insert in lieu thereof the following: "stock or mutual insurance company authorized by the California state insurance commissioner to do business in this state, or in any county mutual insurance company organized under the laws of the State of California".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 328—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to crossings of roads, highways and railroads by railroads or street railroads at grades, the separation of grades at such crossings, and the apportionment of the cost of the construction, reconstruction, alteration or relocation of such crossings and separations of grade and relating to proceedings in eminent domain before the Railroad Commission of the State of California in connection with the separation of grades at any such crossings or in connection with the construction, alteration or relocation of elevated tracks or subways for any railroad or street railroad over or under any public road,



street, highway, or private right of way, or of any public road, street, or highway over or under the tracks of any railroad corporation or street railroad corporation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out line 27, beginning with the word "except", and strike out all of lines 28, 29, 30 and 31, and in lieu thereof insert the following:

Provided that no order of the commission allocating any cost in connection with any crossing to any city, city and county or other political subdivision of the state shall in any way affect the right of any such city, city and county, or other political subdivision to do such work under any law of this state providing for a special assessment district and to assess the cost of such work to property in such district as provided in such law.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, in line 11, of the original printed bill, strike out the period following the word "order", and strike out the words "such acceptance", in line 11, and all of lines 12 and 13, and in lieu thereof insert the following: "in so far as such order determines or affects the amount of money to be paid and the time and manner of payment by such county, city and county, or municipality. As to the amount to be paid and the time and manner of payment, such acceptance may be partial or may be conditioned upon terms specified in such resolution or ordinance."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Utilities.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of \$25,000,000 for the acquisition of rights of way for bridges and railroad crossings on the roads within the primary road system of the State of California, and for the construction of said bridges and railroad crossings by the California Highway Commission.

COMMITTEE AMENDMENTS.

During the reading of the constitutional amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, strike out the word "twenty-five" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 7 of the title of the printed bill, strike out the words "bridges and railroad crossings" and insert in lieu thereof the words "railroad grade crossing separations".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 9 of the title of the printed bill, strike out the words "bridges and railroad crossings" and insert in lieu thereof "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, strike out the word "twenty-five" and insert in lieu thereof the word "ten".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 12, of the printed bill, strike out the word "twenty-five" and insert in lieu thereof the word "ten".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 3, of the printed bill, after the word "in", strike out the word "said" and insert in lieu thereof the following: "the act of the Legislature approved May 20, 1915, and known as".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, lines 6 and 7, of the printed bill, strike out the words "highway bridge" and insert in lieu thereof the words "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, line 7, of the printed bill, strike out the words "highway bridge" and insert in lieu thereof "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 8, of the printed bill, strike out the words "highway bridge" and insert in lieu thereof the words "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2, line 9, of the printed bill, strike out "highway bridge" and insert in lieu thereof the words "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 2, lines 11 to 12, of the printed bill, strike out the words "highway bridge" and insert in lieu thereof the words "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 2, lines 14 to 15, of the printed bill, strike out the words "highway bridge" and insert in lieu thereof the words "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 2, line 20, of the printed bill, after the word "commission" strike out the word "for" and insert in lieu thereof the following: "to pay that portion of the cost of".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 2, line 21, of the printed bill, strike out the words "bridges and railroad crossings" and insert in lieu thereof the following: "railroad grade crossing separations".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 2, lines 22 to 23, of the printed bill, strike out the following: "bridges and railroad crossings upon said state roads" and insert in lieu thereof "railroad grade crossing separations upon".

**Amendment adopted.**

## AMENDMENT NUMBER SIXTEEN.

On page 2, line 24, of the printed bill, strike out the words "primary road" and insert in lieu thereof the following "state highway".

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTEEN.

On page 2, line 24, of the printed bill, after the word "California" add the following: "as may be assigned to the state upon the apportionment of cost for such purposes among the interested parties by the state railroad commission".

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTEEN.

On page 2, beginning with the third word "the", in line 24, of the printed bill, strike out all down to and including the word "thereto" on page 2, line 27.

**Amendment adopted.**

## AMENDMENT NUMBER NINETEEN.

On page 2, line 28, of the printed bill, strike out the words "bridges and railroad crossings" and insert in lieu thereof the words "railroad grade crossing separations".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY.

On page 2, line 37, of the printed bill, strike out the words "bridges or railroad crossings" and insert in lieu thereof the following: "railroad grade crossing separations".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 44, of the printed bill, strike out the words "bridges and railroad crossings", and insert in lieu thereof the following: "railroad grade crossing separations".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 45, of the printed bill, strike out the words "bridges or railroad crossings", and insert in lieu thereof the following: "railroad grade crossing separations".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-THREE.

On page 2, lines 47 and 48, of the printed bill, strike out the words "bridges and railroad crossings", and insert in lieu thereof the following: "railroad grade crossing separations".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-FOUR.

On page 2, line 50, of the printed bill, strike out the words "bridge or crossing" and insert in lieu thereof the following: "or railroad grade crossing separations".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 52, of the printed bill, strike out the words "bridge or crossing" and insert in lieu thereof the following: "railroad grade crossing separation".

**Amendment adopted.**



Senate Constitutional Amendment No. 18 read, ordered to print, and re-referred to Committee on Revenue and Taxation.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State, relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations, be amended.

COMMITTEE AMENDMENTS.

During the reading of the constitutional amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the proposed printed amendment, strike out all of lines 9, 10, 11 and 12, and insert in lieu thereof the following:

Sec. 7. The legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any quasi-public corporation now existing or which shall hereafter exist under the laws of this state. The term of existence of any corporation.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the proposed printed amendment, strike out the word "holding", and insert in lieu thereof the word "representing".

Amendment adopted.

Senate Constitutional Amendment No. 22 read, ordered to print, and re-referred to Committee on Constitutional Amendments.

Senate Bill No. 5—An act to provide for the organization and creation of improvement districts within irrigation districts organized under the "California Irrigation District Act"; to provide for the construction of improvements therein, and for the levy of assessments on the lands of such improvement districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, insert after the word "or" in line 2, the word "contiguous".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, insert after the word "petition", in line 11, the following: "or the said change and improvement thereof".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of line 4 after the word "thereof," and strike out all of line 5, down to and including the word "thereof".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, in line 6, after the word "amount", add the following: "of such costs".

Amendment adopted

## AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, in line 12, after the word "money", add the following: "for said improvements".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2 of the printed bill, in line 15, after the word "petition", add a comma.

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, in line 16, strike out the word "is" and insert in lieu thereof the words "shall be".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, in line 26, after the word "district," add the following: "the publication of such notice once a week for two weeks in some newspaper published in the county in which the office of said irrigation district is situated".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2 of the printed bill, in line 29, strike out all of said line after the word "petition", and strike out all of line 30, down to and including the word "district".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2 of the printed bill, in line 48, after the word "object", insert a comma and the following words and comma: "at said hearing".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, in line 3, strike out the words "recorder's office of the county", and insert in lieu thereof the following: "office of the county recorder".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, in line 7, after the word "benefits", strike out the period and insert in lieu thereof a comma and the following: "and which said assessment shall include a sum that shall equal interest on any deferred payments at a rate not to exceed seven per cent per annum, and ten per cent additional for anticipated delinquencies".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, in line 8, strike out the word "three", and insert in lieu thereof the word "ten".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, in line 14, after the word "annual", insert the word "irrigation".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, in line 19, after the word "manner", insert the word "as".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, in line 20, strike out the word "as", and insert in lieu thereof the word "be".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 3 of the printed bill, in line 20, after the word "said", insert the word "irrigation".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 3 of the printed bill, strike out all of lines 21 to 51, both inclusive, and insert the following:

Sec. 7. Said irrigation district shall issue warrants for the amount of said assessment which warrants shall be made payable in amounts and at the times corresponding substantially to the payment of the installments of said improvement district assessment and shall bear interest at such rate of interest as may have been fixed on the levy of said improvement district assessment. Said warrants shall be payable only out of funds derived from the levy and collection of said improvement district assessment on said lands.

Sec. 8. The said work of improvement provided for in this act and the purchase of all necessary supplies, material and equipment therefor, shall be performed and done by said irrigation district or in the discretion of the board of directors bids may be received for said work and material and proceedings had and taken in reference thereto as provided for in section 53 of the "California irrigation district act"; *provided, however*, that the cost thereof shall be paid only out of said assessments levied upon and collected from the said lands in said improvement district.

Sec. 9. Should the assessments levied upon said lands in such improvement district be insufficient to pay in full the cost of such improvements, or pay the warrants issued for said improvements, an additional and supplemental assessment shall be made and levied upon all of said lands sufficient to pay said cost or said warrants in full, and the procedure followed in making such additional and supplemental levy of assessment shall be substantially the same as the levy of the original assessment, but without the necessity of a petition. If the proceeds from said assessment so levied shall exceed the final amount necessary for such purposes, said lands so paying said assessment shall be entitled to a credit in said excess amount upon the next succeeding district annual assessment levied upon such land.

Sec. 10. Said board of directors and all other officers of said irrigation district shall have all the rights, powers and privileges concerning said improvement district, and lands thereof and the proceedings herein provided for, as such board may have concerning the irrigation district, of which it is a part, and including the right of said irrigation district to condemn lands and to acquire, own and hold property within said improvement districts.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the period following the figures 4234, add the following: "In counties of the fifth class the county and township officers shall receive the following salaries:

1. The county clerk, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the county clerk one chief deputy who shall receive a salary of three thousand dollars per annum; one deputy county clerk who shall be a registrar of voters who shall receive a salary of two thousand five hundred dollars per annum; one deputy who shall be assistant registrar of voters who shall receive one thousand eight hundred dollars per annum; four court clerks who shall receive salaries of two thousand one hundred dollars each per annum; one index clerk who shall receive a salary of one thousand eight hundred



dollars per annum; one judgment clerk who shall receive a salary of two thousand one hundred dollars per annum; one deputy clerk who shall receive a salary of two thousand four hundred dollars per annum; one assistant deputy clerk who shall receive a salary of one thousand six hundred twenty dollars per annum; one license clerk who shall receive a salary of one thousand six hundred twenty dollars per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; three copyists who shall receive salaries of one thousand five hundred dollars each per annum; and a deputy or deputies, not to exceed eight, for the purpose of registering electors, to be paid not to exceed five dollars per diem each, *provided*, that such deputies shall not be employed except during a year when a general election is to be held throughout the state and not more than one deputy for each precinct for the purpose of registering electors during said year of the general election, who shall be paid ten cents per name for each person legally registered by them; *provided*, that if, in counties of this class, there shall be created an additional department of the superior court, then and in that event the county clerk shall be allowed an additional court clerk, who shall receive a salary of two thousand one hundred dollars per annum, which sum shall be paid out of the county treasury in equal monthly installments at the same time and in the same manner as the other county officials are paid; the salaries and compensation of each of said deputies and clerks to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as the other county officials are paid.

2. The sheriff, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the sheriff one under sheriff, whose salary is hereby fixed at the sum of three thousand dollars per annum, and the following deputies and employees: One deputy who shall be head jailer and who shall receive a salary of two thousand one hundred dollars per annum; one deputy assistant jailer who shall receive the salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of two thousand six hundred forty dollars per annum; one deputy who shall receive a salary of one thousand eight hundred dollars per annum; four deputies who shall receive salaries of two thousand one hundred dollars each per annum; four deputies who shall receive salaries of one thousand eight hundred dollars each per annum; one detective who shall receive a salary of two thousand four hundred dollars per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; one bookkeeper who shall receive a salary of one thousand nine hundred eighty dollars per annum; five deputies who shall be turnkeys at the jail whose salaries shall be one thousand six hundred twenty dollars each per annum, but no more turnkeys are to be employed than are absolutely necessary to handle the requirements of the jail; such county deputies as may be necessary to properly administer the duties of said office at a compensation not to exceed six dollars and fifty cents per diem each, but not more than three thousand six hundred dollars shall be paid to all such deputies in any one year; in counties of this class there shall be a matron of the county jail, and at the discretion of the sheriff an assistant matron, each to be appointed by the sheriff, and who, under the direction of the sheriff, shall have charge of the female prisoners in the county jail, and who shall receive salaries of one thousand five hundred dollars per annum and one thousand two hundred dollars per annum, respectively, to be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as is the salary of the sheriff. In counties of this class the sheriff shall receive for his own use the fees, mileage and compensations provided by statute, and he shall be allowed by the board of supervisors his actual necessary expenses for pursuing criminals or for transacting business, and paid as other county charges are paid.

3. The recorder, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the recorder the following deputies and copyists who shall be appointed by the recorder of said county, and shall be paid as follows: One chief deputy, who shall receive a salary of three thousand dollars per annum; one deputy who shall receive a salary of two thousand one hundred dollars per annum; one deputy who shall receive a salary of one thousand nine hundred eighty dollars per annum; eight deputies who shall receive salaries of one thousand eight hundred dollars each per annum; and as many copyists as may be required, who shall receive as compensation the sum of seven cents per folio for recording all instruments or notices except maps and plats, and for copies of any records seven cents per folio.

4. The auditor, four thousand twenty dollars per annum; *provided*, that there is hereby allowed to the auditor the following deputies: One chief deputy who shall receive a salary of three thousand dollars per annum; two deputies who shall receive salaries of two thousand three hundred ten dollars each per annum; one deputy who shall receive a salary of two thousand one hundred sixty dollars per annum; one deputy who shall receive a salary of two thousand one hundred dollars per annum; two deputies who shall receive salaries of one thousand nine hundred eighty dollars each per annum; one deputy who shall receive a salary of one thousand eight hundred dollars per annum; one deputy who shall receive a salary of one thousand six hundred twenty dollars per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; and eight additional

deputies at a salary of five dollars per day each, for each day employed, for a period not to exceed one hundred fifty-six days in any one year; *provided, further*, that in counties of this class for bringing records down to date in any office, when the work of said office has not been brought down to date and was in such condition when the present incumbent was inducted into office, the board of supervisors may authorize said incumbent to perform the labors that should have been performed by his predecessors in office, and for that purpose may authorize said incumbent to employ special clerical help, at a compensation to be fixed by the board of supervisors, at so much per diem; *provided*, that the provisions herein shall apply only to work that should have been done by the incumbent's predecessor in office.

5. The treasurer, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the treasurer one chief deputy who shall receive a salary of three thousand dollars per annum; one deputy who shall receive a salary of two thousand three hundred ten dollars per annum; one deputy who shall receive a salary of one thousand nine hundred eighty dollars per annum; and one bookkeeper who shall receive a salary of one thousand eight hundred dollars per annum.

6. The tax collector, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the tax collector one chief deputy who shall receive a salary of three thousand dollars per annum; three deputies who shall receive salaries of two thousand two hundred twenty dollars each per annum; two deputies who shall receive salaries of one thousand nine hundred eighty dollars each per annum; five deputies who shall receive salaries of one thousand eight hundred dollars each per annum; three deputies who shall receive salaries of one thousand seven hundred forty dollars each per annum; two deputies who shall receive salaries of one thousand six hundred twenty dollars each per annum; one cashier who shall receive a salary of one thousand nine hundred eighty dollars per annum; one bookkeeper who shall receive a salary of one thousand six hundred twenty dollars per annum; one stenographer who shall receive a salary of one thousand five hundred dollars per annum; twenty-three additional clerks at a salary of five dollars per day each, for each day employed, for a period not to exceed one hundred fifty-six days in any one year.

7. The assessor, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the assessor one chief deputy who shall receive a salary of three thousand dollars per annum; three deputies who shall receive salaries of two thousand one hundred dollars each per annum; five deputies who shall receive salaries of one thousand eight hundred dollars each per annum; five deputies who shall receive salaries of one thousand six hundred twenty dollars each per annum; five deputies for a period not exceeding one hundred four days each in any one year, whose per diem shall be seven dollars and fifty cents each when actually employed; forty-five deputies for a period not exceeding one hundred four days each in any one year, whose per diem shall be five dollars each when actually employed. It is *further provided*, that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall the assessor receive any compensation for making out the military roll of persons returned to him as subject to military duty as provided by section 1901 of the Political Code. It is *further provided*, that in counties of this class the assessor shall be allowed his traveling expenses in performing duties outside his office, said expenses, however, not to exceed six hundred dollars in any one year.

8. The district attorney, five thousand dollars per annum; also one assistant district attorney, who shall receive a salary of four thousand dollars per annum; one deputy district attorney who shall receive a salary of three thousand six hundred dollars per annum; three deputy district attorneys who shall receive salaries of three thousand three hundred dollars each per annum; two deputy district attorneys who shall receive salaries of three thousand dollars each per annum; one deputy district attorney who shall receive a salary of two thousand seven hundred dollars per annum; one deputy district attorney who shall receive a salary of two thousand four hundred dollars per annum; one chief clerk who shall receive a salary of two thousand four hundred dollars per annum; one stenographer who shall receive a salary of one thousand eight hundred dollars per annum; one stenographer who shall receive a salary of one thousand six hundred twenty dollars per annum; one detective who shall receive a salary of two thousand two hundred fifty dollars per annum.

9. The superintendent of public schools, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the superintendent of public schools one assistant superintendent who shall receive a salary of two thousand seven hundred dollars per annum; one field assistant who shall receive a salary of three thousand dollars per annum; one bookkeeper who shall receive a salary of one thousand nine hundred eighty dollars per annum; two deputies who shall receive salaries of one thousand nine hundred eighty dollars each

per annum; one deputy who shall receive a salary of one thousand six hundred twenty dollars per annum; one deputy who shall receive a salary of one thousand five hundred dollars per annum.

It is *further provided*, that in counties of this class the county school superintendent, his field assistant and his deputy shall receive their actual and necessary traveling expenses for visiting and examining schools and school properties of the county and performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools, office of field assistant to the superintendent of schools and the office of deputy of the superintendent of schools, the claims for such expenses to be subject to the approval of the board of supervisors.

10. The public administrator, such fees as are now or may hereafter be allowed by law.

11. The coroner, three thousand six hundred dollars per annum, and in addition thereto the board of supervisors shall allow the coroner his actual traveling expenses and fifteen cents for each mile traveled by him when he provides his own conveyance in the performance of his official duties. In counties of this class there shall be and there is hereby allowed the coroner one autopsy surgeon who shall receive a salary of two thousand four hundred dollars per annum and fifteen cents for each mile traveled when he provides his own conveyance in the performance of his official duties; one deputy coroner who shall receive a salary of one thousand eight hundred dollars per annum, and in addition thereto the board of supervisors shall allow the deputy coroner his actual traveling expenses and fifteen cents for each mile traveled by him when he provides his own conveyance in the performance of his official duties. The sheriff shall act as summoning officer for the coroner and shall serve all processes requested by him.

12. The surveyor, four thousand twenty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the surveyor one chief deputy who shall receive a salary of three thousand dollars per annum; one chief field deputy who shall receive a salary of three thousand dollars per annum; one deputy and bridge engineer who shall receive a salary of three thousand dollars per annum; two deputies who shall receive salaries of two thousand seven hundred dollars each per annum; two deputies who shall receive salaries of two thousand two hundred eighty dollars each per annum; one deputy who shall receive a salary of two thousand one hundred dollars per annum; one stenographer and file clerk who shall receive a salary of one thousand six hundred twenty dollars per annum; and such chainmen and rodmen as may be necessary in the field, who shall receive a compensation of five dollars per diem each.

The county surveyor, his deputies and assistants shall be allowed their actual traveling expenses while in the performance of duties in the field.

The surveyor and his deputies are prohibited from engaging in private surveying or engineering work and shall devote their entire time and service to the work of the county.

13. For the purpose of regulating the compensation of the justices of the peace and constables, townships in counties of this class are hereby classified as follows: Townships having a population of thirty thousand or more shall belong to and be known as townships of the first class; townships having a population less than thirty thousand shall belong to and be known as townships of the second class.

14. In counties of this class justices of the peace shall receive the following compensation, and all such salaries shall be paid monthly in the same manner as the salaries of county officers are paid, viz:

In townships of the first class, three thousand six hundred dollars per annum each.

In townships of the second class, seven hundred twenty dollars per annum each.

Such salaries shall be as full compensation for all services rendered by them in both civil and criminal cases. All fees chargeable and collectable by justices of the peace in civil and criminal cases for service rendered by them shall be paid monthly into the county treasury.

In townships of the first class the board of supervisors of counties of this class shall furnish the justices of the peace suitable courtrooms.

In townships of the first class, in counties of this class, there shall be two justices of the peace and the said officers are hereby created. In all other townships in counties of this class there shall be one justice of the peace; *provided*, that in townships of the first class, in counties of this class, the justices of the peace shall be allowed one chief clerk to act as clerk for both of said justices of the peace, which said clerk shall receive a salary of two thousand four hundred dollars per annum; and each justice of the peace shall be allowed one clerk who shall receive a salary of one thousand nine hundred eighty dollars each per annum; and that in townships of the first class, in counties of this class, the justices of the peace shall be allowed one stenographer, who shall act as the stenographer for the chief clerk of said justices of the peace, and who shall receive a salary of one thousand five hundred dollars per annum.

15. In counties of this class constables shall receive the following compensation, and all such salaries shall be paid monthly in the same manner as the salaries of county officers are paid, viz:



In townships of the first class in all criminal cases, in lieu of fees now allowed by law, one thousand eight hundred dollars per annum;

In townships of the second class in all criminal cases, in lieu of fees now allowed by law, seven hundred twenty dollars per annum.

In all townships in counties of this class the constables shall be allowed, in addition to the compensation above set forth, all fees in civil cases as are now or hereafter may be allowed by law, and actual traveling expenses only in lieu of mileage for taking prisoners to the county jail.

In townships of the first class, in counties of this class, the board of supervisors shall furnish the constables' offices with necessary and proper furniture for each of said constables.

16. Each member of the board of supervisors, three thousand dollars per annum and fifteen cents per mile in going from his residence to the county seat at each meeting of the board. This shall cover all his services as supervisor and road commissioner; *provided*, that in counties of this class each member of the board of supervisors shall be allowed his actual expenses in the performance of his official duties, the said expenses, however, for each member of the board not to exceed the sum of five hundred dollars in any one year.

17. The board of supervisors shall, within thirty days after the taking effect of this act, appoint a county librarian, whose salary shall be two thousand seven hundred dollars per annum, payable at the same time and in the same manner and out of the same fund as the salaries of the other county officers; *provided*, that the board of supervisors may appoint all necessary employees for the county library as provided by law. The county librarian shall also be allowed actual and necessary traveling expenses.

18. The apary inspector shall receive a salary of one thousand two hundred dollars per annum, and shall be paid at the same time, in the same manner and out of the same fund as the salaries of the county officers are paid, and such salary shall be full compensation for the services of said apary inspector. Said apary inspector shall, however, be allowed actual and necessary traveling expenses.

19. The deputies, clerks, copyists and employees mentioned in this section are hereby allowed to the respective county officers named, who shall appoint the same, and said deputies, clerks, copyists and employees shall be paid by the counties of this class in monthly installments, at the same time, in the same manner and out of the same fund as the salaries of the county officers are paid.

20. The sealer of weights and measures, two thousand seven hundred dollars per annum and said sealer of weights and measures is allowed the further sum of fifty dollars per month for automobile allowance; *provided*, that in counties of this class the sealer of weights and measures shall be and there is hereby allowed to said sealer of weights and measures one assistant sealer of weights and measures who shall receive a salary of one thousand nine hundred twenty dollars per annum and said assistant sealer of weights and measures is allowed the further sum of fifty dollars per month for automobile allowance; *provided*, further, that in counties of this class there shall be and there is hereby allowed to the said sealer of weights and measures a clerk who shall receive a salary of one thousand two hundred dollars per annum.

21. The fees of grand jurors and trial jurors in the superior courts of said counties of the fifth class, in civil and criminal cases shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer of said county shall pay said warrants. The board of supervisors of said county is hereby directed to make suitable appropriation for the payment of the fees herein provided for.

22. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16r4 consecutively to 16r58 to an act entitled "An act to establish a standard of weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the second line of the title of the printed bill, between the words "to" and "an", insert the following: "and to amend sections sixteen and seventeen of".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

Between the third and fourth lines of the title of the printed bill, insert the following: "measures and weighing and measuring instruments and".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

In the eighth line of the title of the printed bill, strike out the word "ware", and insert in lieu thereof "wares".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out the word "ware" and insert in lieu thereof "wares".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed bill, after the word "act" insert a comma.

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 2 of the printed bill, between lines 6 and 7, insert the following: "Approved June 16, 1913, as amended".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 2, line 9, of the printed bill, after the word "of", following the word "salary", strike out the words "one hundred fifty", and insert in lieu thereof the words "two hundred". And in line 10 of the same paragraph, after the word "and", strike out all of lines 10 and 11, and insert in lieu thereof the words "a deputy who shall receive one hundred fifty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, line 15, of the printed bill, after the word "of" following the word "salary", strike out the words "one hundred fifty" and insert in lieu thereof the words "two hundred twenty-five". And in line 16 of the same paragraph, strike out all of line 16 after the word "and", and all of line 17, and insert in lieu thereof the words "a deputy who shall receive one hundred sixty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 27, of the printed bill, strike out all of line 27 after the word "of" following the word "salary", and insert in lieu thereof the words "two hundred". And in line 28 of the same paragraph, after the word "and", strike out all of lines 28 and 29, and insert in lieu thereof the following: "a deputy who shall receive one hundred seventy-five dollars per month".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2, line 33, of the printed bill, following the word "of" after the word "salary", strike out all of line 33 and insert in lieu thereof the words "two hundred". And in line 34 of the same paragraph, after the word "and", strike out all of lines 34 and 35, and insert in lieu thereof the following: "a deputy who shall receive one hundred fifty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 2, line 50, of the printed bill, following the word "of," after the word "salary", strike out the words "one hundred" and also the word "fifty" in line 51, and insert in lieu thereof the words "one hundred seventy-five". And also in line 51 of the same paragraph, strike out all of said line after the word "and", and all of line 52, and insert in lieu thereof the following: "a deputy who shall receive one hundred fifty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 3, line 4, of the printed bill, following the word "of" after the word "salary", strike out all of line 4, and insert in lieu thereof the words "two hundred". Also, in the same paragraph strike out all of line 5, following the word "and", and all of line 6, and insert in lieu thereof the words "an assistant deputy who shall receive one hundred fifty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 3, line 10, of the printed bill, after the word "of" following the word "salary", strike out all of line 10, and also the word "fifty" in line 11, and insert in lieu thereof the words "two hundred". Also, in line 11 of the same paragraph, strike out all of line 11, after the word "and", and all of line 12, and insert in lieu thereof the words "a deputy who shall receive one hundred fifty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 3, line 22, of the printed bill, following the word "of" after the word "salary", strike out all of line 22, and also the word "fifty" in line 23, and insert in lieu thereof the words "two hundred".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 3, line 28, of the printed bill, following the word "of" after the word "salary", strike out all of line 28, and also the word "fifty" in line 29, and insert in lieu thereof the words "two hundred".

Amendment adopted.



## AMENDMENT NUMBER SIXTEEN.

On page 4, line 24, of the printed bill, strike out the word "one" and also the words "hundred fifty" in line 25, and insert in lieu thereof the words "two hundred".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 4 of the printed bill, in lines 30 and 31, strike out the words "one hundred fifty", and insert in lieu thereof the words "two hundred".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 4 of the printed bill, strike out the words "one hundred fifty" in lines 36 and 37, and insert in lieu thereof the words "one hundred seventy-five".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 4, line 43, of the printed bill, strike out all of line 43, after the word "and", and also all of line 44, and insert in lieu thereof the words "a deputy who shall receive one hundred fifty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 5, line 3, of the printed bill, strike out the word "fifty", and insert in lieu thereof the word "sixty".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 5 of the printed bill, strike out in lines 8 and 9 the words "one hundred fifty", and insert in lieu thereof the words "two hundred".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-TWO.

On page 5 of the printed bill, in lines 26 and 27, strike out the words "one hundred fifty" and insert in lieu thereof the words "two hundred".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 2, of the printed bill, strike out the word "five", and insert in lieu thereof the word "six".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 22, of the printed bill, strike out the word "five", and insert in lieu thereof the word "six".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 52, of the printed bill, strike out the word "five", and also all of line 1, page 7, and insert in lieu thereof the words "fifty dollars per month".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SIX.

On page 7 of the printed bill, after the end of line 51, insert the following:

SEC. 56. Section 16 of said act is hereby amended to read as follows:

Sec. 16. The office of county sealer of weights and measures is hereby created. Whenever in this act the term "sealer" is used, the same shall be taken to mean and refer to sealer of weights and measures. The term of office of such sealer of weights and measures shall be four years, but he shall be subject to removal at the will of such board. A sealer appointed under this act may, with the consent of the board of supervisors of the county appointing him, appoint a deputy or deputies when

necessary or expedient to carry out the provisions of this act. The compensation of such deputies shall be the same as the county sealer and paid in the same manner. Such deputies shall always be subject to removal by the sealer of weights and measures. The salary and compensation provided for the sealer and deputy sealers shall be paid out of the county treasury in equal monthly installments, where the employment is by the year, and monthly as earned in other cases, in the same manner and at the same time as other county officers are paid. In addition to the salaries and compensations provided, said sealer and deputies shall be entitled each to receive their personal and traveling expenses necessarily incurred in the performance of their duties as herein provided, and said expenses so incurred and all compensation earned by such officers or employes as shall not be employed by the year shall be a county charge, and the board of supervisors shall allow and pay the same out of the general fund of the county in the same manner as other claims against said fund are allowed and paid. In case the legislative body of any county or city and county shall not appoint a sealer for such county or city and county within thirty days after written request for such appointment by the state superintendent, is received, state director of agriculture shall assign as soon as practicable a deputy who shall perform all the duties of sealer in such county or city and county as provided in this act to be performed by county or city sealers and to provide copies of the original standards of weights and measures for use by said deputy in such county. The actual cost of such services shall be paid by the county in the same manner in which other claims against the county are paid. The amount to be paid shall be at the rate of one hundred and fifty dollars per month for the time such deputy is employed in such county in addition to the actual traveling expenses of such deputy made necessary by such appointment. The county shall also stand its proportionate share of the actual cost of the set of copies to be used in such county by such deputy, at the rate of one-twelfth of the cost thereof for every month such copies are employed therein during the first year of their use, and in that event such county may at any time pay the balance of the cost of such copies and become the owner thereof, or the county may pay rental to the state for the use of such copies at the rate of ten per cent per annum of the cost price thereof. (Amended Stats. 1915, p. 1315.)

#### Amendment adopted.

##### AMENDMENT NUMBER TWENTY-SEVEN.

SEC. 57. Section 17 of said act is hereby amended to read as follows:

Sec. 17. The legislative body of any city or town may appoint a sealer of weights and measures, fix his compensation and provide for the appointment of the sealer of such number of deputies as the said legislative body may deem necessary and expedient. Such sealer shall receive as compensation the sum of one hundred fifty dollars per month for each month or part thereof actually employed in the service of such city or town. He shall be allowed his traveling expenses actually and necessarily incurred in the performance of his duties; and such deputies shall each receive as compensation the sum of five dollars per day for each day actually employed in the service of such city or town. They shall be allowed their traveling expenses actually and necessarily incurred in the performance of their duties. The term of office of sealer of weights and measures appointed under the provisions of this section shall be four years. He shall be subject to removal by the power appointing him. Deputies appointed under the provisions of this section by a sealer of a city or town shall be subject to removal by the sealer.

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

##### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the period and insert in lieu thereof a semicolon, and add the following: "*and provided, further, that during any year when one or more official primary elections are held in said county the said*

clerk may appoint before each such election one additional deputy to serve for a period of not to exceed three months for each such election at a monthly salary of one hundred fifty dollars."

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out the period and insert in lieu thereof a semicolon and add the following: "*provided*, that there is hereby created in counties of the twentieth class a fund to be known as the 'sheriff's special fund' in the sum of one thousand dollars for each fiscal year which shall be available for use by the sheriff for expenses incurred in criminal cases in the detection of crime; and it shall be the duty of the board of supervisors within thirty days after this act takes effect and annually thereafter at the beginning of the fiscal year to transfer from the general fund to the sheriff's special fund such sum as may be necessary so that there shall be in such fund at the beginning of each fiscal year the said sum of one thousand dollars. The sheriff shall file vouchers with the auditor at the end of each fiscal year showing what disposition he has made of any money received from such fund and the particular purpose for which it was spent."

### Amendment adopted.

#### AMENDMENT NUMBER THREE.

On page 3, line 3, of the printed bill, strike out the period, insert in lieu thereof a semicolon and add the following: "*provided, further*, that in addition to the duties of the auditor in counties of the twentieth class as provided by law it shall also be the duty of the auditor to inspect, examine and audit the books and accounts of all township officers charged with the receipt, safe-keeping or disbursement of public moneys, in townships having a population of more than three thousand persons, at least once each month and also to inspect the books and accounts of all other county or township officers in said county charged with the receipt, safe-keeping or disbursement of public moneys as often as in his discretion it may be deemed necessary and to require all persons who have received any money belonging to the county and who have not accounted therefor to settle their accounts. The auditor shall establish and maintain a complete budget system of accounts in his office. For the purpose of carrying into effect the additional duties imposed upon the auditor, he shall be allowed an extra deputy at a salary of one thousand eight hundred dollars per annum, who shall perform any and all work required by the auditor. The actual traveling expenses of such deputy, or of the auditor, in making such inspection and audits shall be paid by the county as other county bills are paid."

### Amendment adopted.

#### AMENDMENT NUMBER FOUR.

On page 3, line 49, of the printed bill, strike out the period, insert in lieu thereof a semicolon and add the following: "the assessor and deputies shall be allowed their actual and necessary traveling expenses incurred in the performance of their duties outside incorporated cities, but not to exceed in the aggregate five hundred dollars in any one year."

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 229—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

That in line 9, of page 3, of said printed bill, the words "for more than twenty-four hours" be stricken out.

Amendment adopted.

## AMENDMENT NUMBER TWO.

That there be inserted in line 12, of page 3, of said printed bill, following the word "where", the following: "the attending physician is unable to state the cause of death or where".

Amendment adopted.

## AMENDMENT NUMBER THREE.

That in line 40, page 3, of said printed bill, the words "for more than twenty-four hours" be stricken out.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

That in line 41, page 3, of said printed bill, there be inserted following the word "death" the words "or where the attending physician is unable to state the cause of death,".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

That in line 1, of page 4, of said printed bill, the words "the state registrar" be stricken out, and that there be inserted in lieu thereof the words "this act".

Amendment adopted.

## AMENDMENT NUMBER SIX.

That in line 4, page 4, of the printed bill, there be inserted after the word "ascertain," the following: "The coroner shall within three days after examining the body deliver the death certificate to the attending physician."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 255—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the words "per annum", insert a comma and the following: "and one deputy at a salary of one thousand eight hundred dollars per annum".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, following line 9, of the printed bill, insert the following:

It is hereby found as a fact that the changes specified and provided for in this section in respect to the salaries do not effect an increase in the compensation of the sheriff.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of line 31, and insert in lieu thereof the following: "Provided, that in the event the assessor shall engage in actual field work in assessing property, he shall be allowed the amount of".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 4, line 43, of the printed bill, beginning with the word "provided", strike out all down to and including "paid;" in line 46.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

After the word "crime" in line 10 of the printed bill, insert the following: "other than those crimes declared to be misdemeanors by the 'California vehicle act,' approved May 30, 1923, and amendments thereto."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, after the comma following the word "sheriffs", insert the words "coroners, recorders, probation officers".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics, and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

That in line 12, of page 1, of said printed bill, the words "for more than twenty-four hours" be stricken out.

Amendment adopted.

## AMENDMENT NUMBER TWO.

That in line 13, page 1, of said printed bill, there be inserted following the word "death" the words: "or where the attending physician is unable to state the cause of death,".

Amendment adopted.

## AMENDMENT NUMBER THREE.

That in line 11, page 2, of said printed bill, the words "local registrar" be stricken out, and that there be inserted in lieu thereof the words "attending undertaker".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

That in line 12, page 2, of said printed bill, the words "where such death occurs, &" be stricken out, and that there be inserted in lieu thereof the words "a standard death".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

That in line 13, page 2, of said printed bill, the words "the state registrar" be stricken out, and that there be inserted in lieu thereof the words "this act".

Amendment adopted.

## AMENDMENT NUMBER SIX.

That in line 14, page 2, of said printed bill, the word "Said" be stricken out, and that all of lines 15, 16 and 17, of page 2, of said bill, be stricken out.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a, and 11 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

That in line 24, page 5, of said printed bill, the word "case" be stricken out, and that there be inserted in lieu thereof the word "cast".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

That lines 3 to 24, inclusive, on page 1, of said printed bill, and lines 1 to 10, on page 2, of the said bill, be stricken out, and the following be inserted in lieu thereof:  
The board of supervisors of any county may establish out of the general fund, a fund to be known as the sheriff's special fund by adopting a resolution setting



forth the necessity for such a fund and the amount of such fund. In counties having a population of more than five hundred thousand, said fund shall not exceed the sum of five thousand dollars; in all other counties said fund shall not exceed the sum of two thousand five hundred dollars. Certified copies of said resolution shall be transmitted to the county auditor and the county treasurer. On presentation the treasurer shall cash said warrant.

Said fund may be used by the sheriff for his expenses incurred in criminal cases arising in the county and for such expenses necessarily incurred by him in the preservation of peace and the suppression of crime.

The sheriff shall file vouchers with the auditor at the end of the fiscal year and may file vouchers from time to time during the year showing what disposal he has made of any of the moneys received from such fund and the particular purpose for which it was spent; *provided*, that if at the end of the fiscal year a criminal proceeding.

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

That line 15, of page 2, of said printed bill, be stricken out, and that the following be inserted in lieu thereof:

"Upon the filing of such vouchers at the end of the fiscal year, and at such other times as the sheriff may file said vouchers, the board of supervisors may reimburse said fund in a sum not to exceed the amount accounted for by said vouchers. Said reimbursement shall be made in the same manner as provided for the establishment of the fund.

*Provided*, that nothing in this section".

### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on County Government.

Senate Bill No. 232—An act to amend section 294 of the Penal Code, relating to custody of dead bodies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 347—An act to amend section 2646 of the Political Code, relating to the maintenance and repair of county highways.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 655—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the purchase of materials and supplies and providing for cooperation of said flood control district with public and private corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 846—An act to add four new sections to the Political Code, to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll-bridge franchises by boards of supervisors.

Bill read second time, ordered engrossed, and on file for third reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 548—An act to amend section 1583 of the Political Code, relating to joint school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 913—An act to amend section 4 of an act entitled "An act to create a fund to be known as the United States Forest

Reserve fund and to provide for the payment out of such fund to the treasury of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of the expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to apportionment of unrepresented funds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 956—An act to amend an act entitled "An act to provide for the gathering of data concerning teachers of California who are bound by the provisions of 'An act to provide for the payment of retirement salaries to the public school teachers of this State, etc.,' approved June 16, 1913," approved May 22, 1925.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 957—An act to amend sections 5, 13 and 14 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, etc.," approved June 16, 1913, as amended.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 4, lines 23 and 24, of the printed bill, strike out the words, "in the public schools of this state".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 209—An act to amend section 2322.11 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 185—An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of predelinquent, psychopathic and maladjusted children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 185 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones, H. C., moved to refer Senate Bill No. 579 to Senator Inman, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 6, add the following paragraph:

Nothing in this act contained shall apply to any investigation made or any certificate issued by any person, firm or corporation in respect to canned or dried fruit, shipped, packed or stored by it or to any investigation made or any certificate issued by any bona fide chamber of commerce, board of trade or other bona fide nonprofit association of producers or merchants in respect to canned or dried fruit sold, shipped, packed or stored by any of its members or other persons for whom it may make any such inspection or issue any such certificate.

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 579, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Jones, H. C., adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 774—An act to amend section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds: to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended.

On motion of Senator Sharkey, Senate Bill No. 774 was passed on file.

Senate Bill No. 203—An act to amend sections 4, 5, 7, 35 and 41 of an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, exclusion of public property and mode of assessing and levying special assessment taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 135—An act to add a new section to be numbered 7m to an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to a chief narcotic enforcement officer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 135 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and eight minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing transcripts of testimony and delivery of copy thereof to defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 399 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CANEPA IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Senator Canepa of the Eighteenth District was called to the chair.

#### SENATE CONSTITUTIONAL AMENDMENT No. 9.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury.

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California, at its forty-seventh session, commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to amend section 7 of article I of the constitution to read as follows:

Sec. 7. The right of trial by jury shall be secured to all, and remain inviolate; but in civil actions three-fourths of the jury may render a verdict. A trial by jury may be waived in all criminal cases, by the consent of both parties, expressed in open court, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law. In civil actions and cases of misdemeanor, the

jury may consist of twelve, or of any number less than twelve upon which the parties may agree in open court.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 9 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—31.

NOES—Senators Fellom, Garrison, and West—3.

Title read and approved.

Senate Constitutional Amendment No. 9 ordered transmitted to the Assembly.

LEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Senate Bill No. 309—An act to amend section 2 of an act entitled "An act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 309 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christia, Cobb, Crowley, Fellom, Garrison, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 521—An act to amend section 9 of and to add a new section to be numbered 4m to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, relating to the licensing of dealers in seeds.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 521 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garfison, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 639—An act to amend sections 2, 3, 4, 6 and 7 of an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 639 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### USE OF SENATE CHAMBER GRANTED.

Senator Crowley asked and was granted unanimous consent for the use of the Senate Chamber for this evening, March 21, 1927, for the purpose of hearing bills before the Committee on Public Health and Quarantine.

Senate Bill No. 342—An act requiring certain reports to be made concerning children with impaired hearing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—30.

NOES—Senators Jones, Ray; and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 831 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Johnson, Jones, H. C., Jones,

Ray; Kline, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 267—An act to amend section 3052 of the Civil Code, providing for the sale of property by a lien holder, notice of sale and disposition of the proceeds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 267 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

On motion of Senator Baker, Senate Bill No. 610 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

On motion of Senator Allen, N. M., Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

On motion of Senator Boggs, Senate Bill No. 237 was passed on file.

Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 90 to Senator Tubbs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 7, line 40, of the printed bill, as amended, after the word "county", strike out the period and insert a comma and the following: "except state senators, assemblymen and delegates to state convention."

## AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended, strike out lines 41 to 49, inclusive.

## AMENDMENT NUMBER THREE.

On page 7, line 50, of the printed bill, as amended, after the word "clerk", insert the following: "or registrar of voters".

## AMENDMENT NUMBER FOUR.

On page 7, line 51, of the printed bill, after the word "pamphlet", insert the following: "containing only declarations of candidates and list of sponsors of the candidates to be voted for in such county or city and county."

## AMENDMENT NUMBER FIVE.

On page 8, line 1, of the printed bill, after the word "county", strike out the period and insert a semicolon, with the following: "copy for said pamphlet shall be furnished to the state printer by the secretary of state."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 90, with instructions to amend, respectfully reports the same back, amended as per instructions.

TUBBS, Special Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 488—An act to repeal section 321 of the Civil Code of the State of California, relating to books of banks which shall be open to inspection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 488 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.



## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Senate Bill No. 99, as amended March 8, 1927, to Senator Evans, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, as amended March 8, 1927, after the word "shop", strike out the period and insert a semicolon and add the following: "*provided, however*, that nothing herein contained shall be construed to prevent the employment of more than one apprentice in any barber college approved by the state board of barber examiners, as provided in section 7 of this act."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 99, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read.

The secretary was directed to call the roll upon the adoption of the report of the Special Committee of One.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Allen, N. M., Cobb, Evans, Lyon, McKinley, Mueller, Rush, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—14.

NOES—Senators Boggs, Breed, Canepa, Christian, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, Murphy, Nelson, Pedrotti, Sharkey, and Slater—20.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 99 passed by the following vote:

AYES—Senators Boggs, Canepa, Christian, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, West, and Young—28.

NOES—Allen, N. M., Baker, Breed, Chamberlin, Cobb, Evans, Lyon, McKinley, Rush, and Weller—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

## HOUR OF RECESS EXTENDED.

At three o'clock and thirty minutes p.m., the hour of recess was extended until four o'clock p.m.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to jurisdiction of and divisions of supreme and appellate courts.

Constitutional amendment read.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During reading of the amendment, Senator Baker moved to refer Senate Constitutional Amendment No. 12 to Senator Weller, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "by", strike out all down to and including the word "courts" in line 5 of the title of the printed bill, and insert

in lieu thereof the following: "repealing the first numbered section eleven of article six, proposed by the forty-fifth session of the Legislature as Assembly constitutional amendment number two and approved and ratified by the people at the general election held November 4, 1924, by amending sections three, four, five and thirteen of said article and by adding to said article six new sections to be numbered four *a*, four *b*, four *c* and eleven *a*, relating to courts of record and inferior courts."

#### AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "the people of the State of California the following amendments to the constitution of the State of California:

First—Section 2 of article VI proposed by the forty-fifth session of the Legislature as Assembly constitutional amendment number two, and approved and ratified by the people at the general election held November 11, 1924, is hereby repealed.

Second—Section 3 of article XI is hereby amended to read as follows:

SEC. 3. The chief justice and the associate justices shall be elected by the qualified electors of the state at large at the general elections, at the time and places at which state officers are elected, except as provided by section 23½ of article II of this constitution, and the term of office shall be twelve years from and after the first day of January next succeeding their election. If a vacancy occur in the office of a justice, the governor shall appoint a person to hold the office until the election and qualification of a justice to fill the vacancy, which election shall take place at the next succeeding general state or primary election after the first day of April next succeeding the occurrence of such vacancy; the justice then elected shall hold office for the unexpired term: *provided*, that whenever the term of office of the justice whose place is filled by appointment is fixed by law to expire on the first day of January after the next or such succeeding general election, then the person so appointed to fill the vacancy shall hold office for the remainder of such unexpired term.

Third—Section 4 of article XI of said constitution is hereby amended to read as follows:

#### AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, after the first word "in", insert the following: "municipal or".

#### AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 13 and 14, and the words "and dollars" on page 15 of the printed bill, and insert in lieu thereof the following: "fine."

#### AMENDMENT NUMBER FIVE.

On page 2, between lines 5 and 6, of the printed bill, insert the following:

Fourth—A new section to be numbered section 4a of article XI is hereby added to said constitution to read as follows:

SEC. 4a.

#### AMENDMENT NUMBER SIX.

On page 2, line 12, of the printed bill, after the word "division", begin a new sentence to read as follows:

Each of such division shall have and exercise all of the powers of the district court of appeal.

#### AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out lines 14 to 22, both inclusive, and insert in lieu thereof the following: "to the approval and ratification of this amendment by the people shall not be affected thereby as to the officers or terms of office of the justices thereof.

Upon the creation of any additional division of the district court of appeal the governor shall appoint three persons to serve as justices thereof until the first day of January after the next general election. The justices of said division elected at such general election shall so classify themselves by lot that one of them shall go out of office at the end of four years, one of them at the end of eight years, and one of them at the end of twelve years, and entry of such classification shall be made in the minutes of said division, signed by the three justices thereof, and a duplicate thereof filed in the office of the secretary of state.

The justices of the district courts of appeal shall be elected by the qualified electors within their respective districts at the general state elections except as provided in section 23½ of article II; and the term of office of said justices shall be twelve years from and after the first day of January next succeeding their election.

If any vacancy occur in the office of a justice of the district courts of appeal, the governor shall appoint a person to hold office until the election and qualification of a justice to fill the vacancy. Such election shall take place at the next succeeding general state or primary election after the first day of April next succeeding the occurrence of such vacancy; the justice then elected shall hold office for the

unexpired term; *provided*, that whenever the term of office of the justice whose place is filled by appointment is fixed by law to expire on the first day of January after the next or such succeeding general election, then the person so appointed to fill the vacancy shall hold office for the remainder of such unexpired term.

One of the justices of each of the district courts of appeal, and of each division of said courts, shall be the presiding justice thereof, and as such shall be appointed or elected, as the case may be.

In cases wherein the presiding justice is not acting, the other justices shall designate one of their number to perform the duties and exercise the powers of presiding justice.

The presence of two justices shall be necessary for the transaction of any business by such court except such as may be done at chambers, and the concurrence of two justices shall be necessary to pronounce a judgment.

No appeal taken to the supreme court or to a district court of appeal shall be dismissed for the reason only that the same was not taken to the proper court, but the cause shall be transferred to the proper court upon such terms as to costs or otherwise as may be just, and shall be proceeded with therein as if regularly appealed thereto.

All statutes now in force allowing, providing for or regulating appeals to the supreme court shall apply to appeals to the district courts of appeal so far as such statutes are not inconsistent with this article and until the Legislature shall otherwise provide."

#### AMENDMENT NUMBER EIGHT.

On page 2, between the lines 44 and 45, of the printed bill, insert the following:  
Fifth—A new section to be numbered section 4*b* of article XI is hereby added to said constitution to read as follows:  
SEC. 4*b*.

#### AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out lines 45 to 52, both inclusive, and on page 3 of the printed bill, strike out lines 1 to 7, both inclusive, and the word "rendered" on page 3, line 8, of the printed bill, and insert in lieu thereof the following:

The district courts of appeal shall have appellate jurisdiction on appeal from the superior courts (except in cases in which appellate jurisdiction is given to the supreme court) in all cases at law in which the superior courts are given original jurisdiction; also, in all cases of forcible or unlawful entry or detainer (except such as arise in municipal, or in justices' or other inferior courts); in proceedings in insolvency; in actions to prevent or abate a nuisance; in proceedings of mandamus, certiorari, prohibition, usurpation of office, removal from office, contesting elections, eminent domain, and in such other special proceedings as may be provided by law; also, on questions of law alone, in all criminal cases prosecuted by indictment or information, except where judgment of death has been rendered.

#### AMENDMENT NUMBER TEN.

On page 3 of the printed bill, between lines 21 and 22, insert the following:  
Sixth—A new section to be numbered section 4*c* of article XI is hereby added to said constitution to read as follows:

#### AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, strike out lines 39 to 52, and strike out pages 4 and 5, of the printed bill, and insert in lieu thereof the following:

Section 5 of article XI of said constitution is hereby amended to read as follows:

Sec. 5. The superior courts shall have original jurisdiction in all civil cases and proceedings (except as in this article otherwise provided and except, also cases and proceedings in which jurisdiction is or shall be given by law to municipal or to justices or other inferior courts); in all criminal cases amounting to felony, and cases of misdemeanor not otherwise provided for; and of all such special cases and proceedings as are not otherwise provided for; and said court shall have the power of naturalization and to issue papers therefor.

The superior courts shall have appellate jurisdiction in such cases arising in municipal and in justices' and other inferior courts in their respective counties or cities and counties as may be prescribed by law. The Legislature may, in addition to any other appellate jurisdiction of the superior courts, also provide for the establishment of appellate departments of the superior court in any county or city and county wherein any municipal court is established, and for the constitution, regulation, jurisdiction, government and procedure of such appellate departments. Superior courts, municipal courts and justices' courts in cities having a population of more than forty thousand inhabitants shall always be open, legal holidays and non-judicial days excepted. The process of superior courts shall extend to all parts of the state; *provided*, that all actions for the recovery of the possession of, quieting the title to, or for the enforcement of liens upon real estate, shall be commenced in the



county in which the real estate, or any part thereof, affected by such action or actions, is situated. Said superior courts, and their judges shall have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus on petition by or on behalf of any person in actual custody, in their respective counties. Injunctions and writs of prohibition may be issued and served on legal holidays and non-judicial days. The process of any municipal court shall extend to all parts of the county or city and county in which the city is situated where such court is established, and to such other parts of the state as may be provided by law, and such process may be executed or enforced in such manner as the Legislature shall provide.

Upon stipulation of the parties litigant or their attorneys of record a cause in the superior court or in a municipal court may be tried by a judge pro tempore who must be a member of the bar sworn to try the cause, and who shall be empowered to act in such capacity in the cause tried before him until the final determination thereof. The selection of such judge pro tempore shall be subject to the approval and order of the court in which said cause is pending and shall also be subject to such regulations and orders as may be prescribed by the judicial council.

Seventh—A new section to be numbered 11a of article XI is hereby added to said constitution to read as follows:

Sec. 11a. The Legislature shall determine, according to population, the number and jurisdiction of each of the inferior courts in incorporated cities or towns wherein there is no municipal court, and in townships, counties or cities and counties, and the number of judges or justices thereof and their qualification and compensation, and shall fix by law the powers, duties and responsibilities of each of such courts and of the judges or justices thereof; and may provide that the jurisdiction of such courts shall be exclusive.

Eighth—Section 13 of article XI is hereby amended to read as follows:

Sec. 13. Notwithstanding any provision contained in this article, the Legislature may fix by law the jurisdiction of municipal courts and inferior courts in cities having municipal courts which may be established in pursuance of this article, and may fix by law the powers, duties, qualifications and responsibilities of judges thereof.

Any action heretofore taken by the Legislature in fixing exclusive jurisdiction of municipal courts in cases at law is hereby ratified and confirmed.

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Constitutional Amendment No. 12, with instructions to amend, respectfully reports the same back, amended as per instructions.

WELLER, Special Committee.

Report read, and on motion of Senator Baker adopted.

Senate Constitutional Amendment No. 12 ordered to print, and re-referred to Committee on Revision of Criminal Law and Procedure.

Senate Bill No. 485—An act to add a new section to the Civil Code of the State of California, to be numbered 2290, relating to rights of banks purchasing other banking institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 485 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 489—An act to add a new section to the Civil Code, to be numbered section 3265f, relating to actions for paying checks after payment has been stopped.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—31.

NOES—West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Pedrotti:

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 1033 of the Code of Civil Procedure, relating to costs.

Request referred to Committee on Rules.

By Senator Chamberlin:

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 1522 of the Code of Civil Procedure, relating to the sales of personal property.

Request referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

##### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to poll lists and tally lists, to add a new section 1174a to the Political Code, relating to roster and poll lists, and to repeal section 1229 of the Political Code—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

FELLOM, Chairman.

Assembly Bill No. 308 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 811—An act to amend sections 1113 and 1115, Political Code, relating to the preparation of registration books—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—11; committee vote: Ayes—7; absent—4.

FELLOM, Chairman.

Assembly Bill No. 811 ordered on file for second reading.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Garrison: Senate Concurrent Resolution No. 23—Relative to the creation of a committee for the purpose of making a comprehensive study into the subject of grade crossing accidents and delays, and reporting thereon to the Legislature of the State of California.

Referred to Committee on Motor Vehicles.

## ADJOURNMENT.

At four o'clock p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, March 22, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Tuesday, March 22, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—39.

Quorum present.

## PRAYER.

Prayer was offered by the chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 21, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Mueller was, on motion of Senator Jones, Ray, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Albert C. Worden of the College of the Pacific.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to former Assemblyman Fred Stevenot of Angels Camp.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to members of the Sierra School, Martha J. Ferguson, instructor of civic and history departments, and pupils as follows: Helen Becker, Mance McConnell, Katherine Meister, Edith Martiango, Loena Perry, Jewel Adams, Ruth



Barnes, Dolores Messa, Dorothy Follett, Helen Burch, Dorothea Chastian, Frank Albright, Clyde Shearer, Jack Haley, Stanley Apperson, Ray Albright, Ralph Boyer, Elmer Kesler, Junior Daniels, Frank Shreeck, Richard Biggs, Frank Woollett, Harlan Stead, Robert Moore, Delmo Albeiti, Albert Albeiti, Francis Hodgkins and Henry Ellis.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the political science class of the College of the Holy Names of Oakland, California, as follows: Catherine Clark, Mary Heyn, Margaret Kirsten, Virginia McBride, Mary Murphy, Gertrude Seullion, Katherine Sanders, Elizabeth Tarleton, Regina Comestock, Mary Louise Korn, Ann Leary, Marie Miller, Agnes O'Mara, Frazquita Sullivan and Alice Slater; civics class of the College of the Holy Names, Betty Bailey, Martha Collett, Rosemary Concannon, Mary Donnelly, Irma Edwards, Margaret Libbey, Mary McPhee, Carmel O'Donnell, Carla Plump, Barbara Stephens, Miriam Touhy, Louisa de Alvarez, Rose Marion Breier, Mary Comstock, Winifred Connolly, Margaret Driscoll, Lois Langdon, Ruth Lyons, May Oliva, Marjorie Osborne, Margaret Sheridan, Miriam Snyder, Denise Tolan and Gertrude Lanz, and Sister Margaret, superior; Sister Mary Clare, Sister Mary Loyola, Sister Theresa Maria.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 653—An act to amend section 626i of the Penal Code, relating to the limit of deer that may be taken, killed, destroyed or possessed in any one open season;

Also: Assembly Bill No. 654—An act to amend section 626d of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 682—An act to amend sections 2168 and 2171 of the Political Code, relating to insane persons;

Also: Assembly Bill No. 734—An act to repeal section 924 of the Political Code;

Also: Assembly Bill No. 1038—An act to amend section 635 of the Penal Code, relating to the protection of fish.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 653 and 654 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 682 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 734 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1038 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 240—An act to amend the title and to amend sections 1, 2, 3, 5, 6, 9, 11, 16, 23a and 24 of an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, as amended, and to add to said act a section, to be numbered 24b, relating to reassessment;

Also: Assembly Bill No. 241—An act to validate bonds issued under Drainage District Improvement Act of 1919 and all proceedings relative thereto;

Also: Assembly Bill No. 244—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 436—An act to provide for the establishment of weed free areas, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners and defining their powers and duties in relation hereto, prohibiting persons from permitting the propagation within weed free area of weeds of which said area has been declared to be practically free, providing penalties for violation hereof and repealing "An act to prevent the propagation of noxious weeds," approved June 3, 1921;

Also: Assembly Bill No. 518—An act to amend section 164 of the Civil Code, relating to community property;

Also: Assembly Bill No. 649—An act to amend section 626c of the Penal Code, relating to the protection of game.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 240 and 241 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 244 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 436 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 518 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 649 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 19—Providing for the creation of a joint committee of the Senate and Assembly to investigate traffic conditions in the State of California and the question of safety and prevention of accidents in relation thereto; to prepare and make recommendations concerning changes in existing laws; and the enactment and/or enforcement of laws relating to the use and operation of vehicles on the public highways, and to prepare and submit with supporting facts, ascertained, a report as to the advisability of the adoption of a law requiring financial security on the part of persons operating motor vehicles upon the highways of this State and making appropriation to meet the expenses of said committee necessarily incurred in said work.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Concurrent Resolution No. 19 read, and referred to Committee on Motor Vehicles.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis Law" of California; to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis

Law" of California; to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED NINETEEN.

AMENDMENT NUMBER ONE.

On page 6, lines 49 and 50, of the printed bill, as amended March 2, 1927, strike out the words "and the carcasses" and insert in lieu thereof the following: "except that in any chartered or incorporated city or city and county that maintains a regular meat inspection service by persons who have passed the civil service meat and/or market inspectors' examination the slaughtering of said animals under the provisions of this act shall be under the supervision of such an inspector or inspectors of such chartered or incorporated city or city and county. The carcasses shall be".

AMENDMENT NUMBER TWO.

On page 7, lines 3 to 9, of the printed bill, as amended March 2, 1927, strike out all of said lines 3 to 9, inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 219?

The roll was called, and Assembly amendments to Senate Bill No. 219 concurred in by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—30.

NOES—None.

Senate Bill No. 219 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 205—An act to cure defects in maps or plats filed for record prior to January 15, 1927, and in deeds or conveyances referring to such maps;

Also: Senate Bill No. 248—An act to add a new section to the Code of Civil Procedure, to be numbered 953d, relating to notices of entry of judgments and orders;

Also: Senate Bill No. 249—An act to amend section 1875 of the Code of Civil Procedure, relating to judicial notice.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 205, 248 and 249 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 287—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the granting of certificates of public convenience and necessity to foreign corporations;



Also; Senate Bill No. 304—An act authorizing municipal corporations to expend money for advertising or publicity purposes;

Also: Senate Bill No. 500—An act to amend sections 983, 984 and 985 of the Code of Civil Procedure and to add nine new sections to said code to be numbered respectively 986, 987, 988, 988a, 988b, 988c, 988d, 988e, 988f, 988g, and 988h, relating to appeals from municipal courts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 287, 304 and 500 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 8—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system based on investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to the appointment and salaries of the State Civil Service Commissioners;

Also: Senate Bill No. 125—An act to amend section 51 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 137—An act to amend section 4300g of the Political Code, relating to witness fees.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 8, 125 and 137 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 40—An act to amend section 3 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval on February 25, 1901, as amended;

Also: Assembly Bill No. 96—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 99—An act to amend section 7 of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property not within the territory of incorporated cities or towns; for work upon streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property inside of incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof; for work upon streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundary of such municipality; for the incidental establishment, change or separation of grades thereof, and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of such work; for the payment of such bonds by special assessment taxes raised in assessment districts established for the purpose; for the inclusion of the territory of any incorporated city or cities within such assessment district; and for county aid in such work," approved March 21, 1907, as amended, and to add two new sections thereto to be numbered 22½ and 26½, relating to the full payments of the assessments on specific parts of land within the district by the owner or interested party.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 40 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 96 read first time, and referred to Committee on County Government.

Assembly Bill No. 99 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 150—An act to amend section 1973 of the Code of Civil Procedure, and to add to said Code a new section to be numbered 1973a, relating to agreements in writing;

Also: Assembly Bill No. 157—An act to amend sections 4, 6, 8 and 13 and to add a new section to be numbered 38, to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the making of reassessments;

Also: Assembly Bill No. 163—An act to amend section 413 of the Political Code, relating to absence of county officers from the State.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 150 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 157 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 163 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 170—An act to amend section 865 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to payments of claims and registration of warrants upon nonpayment of such claims;

Also: Assembly Bill No. 202—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class;

Also: Assembly Bill No. 404—An act to amend section 551 of the Civil Code, relating to the construction of canals, flumes, and other appliances for conducting water over public highways;

Also: Assembly Bill No. 412—An act to amend sections 19, 79 and 79a, of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and to add new sections to said act, which said new sections shall be designated sections 79b, 79c, 79d, 79e, 79f, 79g, 79h, 79i, 79j, 79k, and 79l, relating to bonds of contractors and definition of terms used in said act, and to proceedings thereunder.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 170 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 202 read first time, and referred to Committee on County Government.

Assembly Bill No. 404 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 412 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 540—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 55 thereof, relating to funds and revenue of districts;

Also: Assembly Bill No. 691—An act to amend section 927*h* of the Code of Civil Procedure to provide for the performance by the marshal of the municipal court of the duties imposed upon the constable and providing for the fees to be charged therefor;

Also: Assembly Bill No. 700—An act to amend an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, by adding a new section thereto to be numbered 31, providing for municipal court auditor and for municipal courts in cities or cities and counties of the first and one-half class;

Also: Assembly Bill No. 862—An act to validate the organization and existence of municipal improvement districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 540 read first time, and referred to Committee on Irrigation.

Assembly Bills Nos. 691 and 700 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 862 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 934—An act to add 18 new sections, to be numbered sections 64*a*, 64*b*, 64*c*, 64*d*, 64*e*, 64*f*, 64*g*, 64*h*, 64*i*, 64*j*, 64*k*, 64*l*, 64*m*, 64*n*, 64*o*, 64*p*, 64*q*, 64*r*, to the "California water storage district act" approved June 3, 1921, as amended, relating to the inclusion and exclusion of lands in and from water storage districts;

Also: Assembly Bill No. 993—An act to amend section 42 of the act known as the Improvement Act of 1911, approved April 7, 1911, as amended;

Also: Assembly Bill No. 1001—An act providing for the use of water and gas lines and appurtenances constructed within municipalities or unincorporated territory of a county under any street improvement act; and providing limitations on the granting of such use;

Also: Assembly Bill No. 1156—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violations of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 934 read first time, and referred to Committee on Conservation.

Assembly Bills Nos. 993 and 1001 read first time, and referred to Committee on Municipal Corporations.



Assembly Bill No. 1156 read first time, and referred to Committee on Oil Industries.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 143—An act to amend section 4261 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirty-second class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 175—An act to amend sections 2, 3, 4, powers and duties of the board, 11 and 15, of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 20, 1905, as amended March 21, 1907, April 21, 1909, and May 27, 1915:

Also: Senate Bill No. 642—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 20, 31, 53, 56a, 65, 80, 83 and 105, and by adding new sections thereto to be numbered sections 31c and 31d, all relating to the definition and regulation of the business of banking:

Also: Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act:

Also: Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties:

Also: Senate Bill No. 183—An act to add a new section to the Political Code to be numbered 1607f, relating to the powers and duties of boards of trustees and city boards of education and authorizing such boards to establish, equip and maintain buildings to house employees of the school district:

Also: Senate Bill No. 536—An act to amend section 1543a of the Political Code, relating to the payment of interest on unpaid orders or demands against any school district:

Also: Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare:

Also: Senate Bill No. 232—An act to amend section 294 of the Penal Code, relating to custody of dead bodies:

Also: Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend:

Also: Senate Bill No. 347—An act to amend section 2646 of the Political Code, relating to the maintenance and repair of county highways:

Also: Senate Bill No. 655—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as

amended, relating to the purchase of materials and supplies and providing for cooperation of said flood control district with public and private corporations;

Also: Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors;

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of article IV, relating to the expenditure of public money in State aid;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 9—An act to create a public corporation to be known as "The State Bar of California," to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for violations of said act;

Also: Senate Bill No. 242—An act to amend section 10 of an act entitled "An act relative to estrays and providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, excepting certain counties from the provisions thereof;

Also: Senate Bill No. 292—An act to amend section 308 of the Civil Code, relating to officers of corporations;

Also: Senate Bill No. 320—An act providing for the distribution of any money appropriated by the State of California for the encouragement of county and district fairs;

Also: Senate Bill No. 442—An act to amend section 19r14 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fourteenth class;

Also: Senate Bill No. 494—An act to amend section 4267 of the Political Code, relating to the salaries of county and township officers and their deputies in counties of the thirty-eighth class, and fixing the mileage and per diem of grand and trial jurors in such counties;

Also: Senate Bill No. 564—An act to amend section 336 of the Civil Code, relating to corporations;

Also: Senate Bill No. 65—An act to amend sections 7, 8, 9, 10, 11, 12, 14, 15 and 20 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add a new section to said act to be numbered section 15a, relating to the payment of the interest due on bonds of the district;

Also: Senate Bill No. 68—An act to amend section 6 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add three new sections to said act to be numbered sections 6a, 6b, and 6c, respectively, relating to the annexation of territory to said district, and also adding a new section to said act to be numbered section 6d, relating to the control of any existing publicly owned utility in such district;

Also: Senate Bill No. 97—An act defining credit unions, providing for their incorporation, powers, management and supervision;

Also: Senate Bill No. 221—An act to amend section 307 of the Civil Code excepting mutual, cooperative or nonprofit agricultural corporations and organizations from the provisions of the section;

Also: Senate Bill No. 530—An act to amend section 4271 of the Political Code, relating to salaries of county officers in counties of the forty-second class;

Also: Senate Bill No. 72—An act to amend the title and also sections 1 and 2 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county or incorporated city or town," approved April 23, 1913, by providing that the surplus funds in the treasury of municipal utility districts and flood control districts may be invested in like manner as those of other public corporations mentioned in said act;

Also: Senate Bill No. 169—An act to add a new section to be numbered 6c to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the

punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to assuming of obligation of guarantor by transportation companies;

Also: Senate Bill No. 170—An act to amend section 6 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to mortgages and liens on property of transportation companies;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of March, 1927, at 2 o'clock and 30 minutes p.m.

JONES, RAY, Chairman.

#### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations;

Also: Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also: Senate Bill No. 748—An act to amend section 453 of the Civil Code, relating to mutual benefit and life insurance associations, and the manner in which and the conditions upon which such associations may do business in this State;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

HOLLISTER, Chairman.

Senate Bills Nos. 666, 734 and 748 ordered on file for second reading.

#### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 194—An act to amend section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—11; absent—4.

BOGGS, Chairman.

Senate Bill No. 194 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 665—An act to provide for the regulation and supervision of, and to prevent fraud in, sales of fertilizer as the same is therein defined; to provide for license to engage in the business of selling or dealing in such fertilizer; to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 1161—An act to repeal an act entitled "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California, and making an appropriation therefor," approved April 25, 1911;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—11; absent—4.

BOGGS, Chairman.

Assembly Bills Nos. 665 and 1161 ordered on file for second reading.

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act,"



relating to registration fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—10; noes—2; absent—3.

KLINE, Chairman.

Senate Bill No. 709 ordered on file for second reading.

#### PRESIDENT PRO TEMPORE IN THE CHAIR.

At ten o'clock and fifty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Chamberlin, to introduce a bill entitled—An act to amend section 1522 of the Code of Civil Procedure relating to the sales of personal property—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Chamberlin: Senate Bill No. 866—An act to amend section 1522 of the Code of Civil Procedure, relating to the sales of personal property.

Bill read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Pedrotti to introduce a bill entitled—An act to amend section 1033 of the Code of Civil Procedure, relating to costs—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—31.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Pedrotti: Senate Bill No. 867—An act to amend section 1033 of the Code of Civil Procedure, relating to costs.

Bill read first time, and referred to Committee on Judiciary.

## REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Johnson:

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations.

Request referred to Committee on Rules.

## CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to age of majority.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 349—An act to add a new chapter, to be numbered chapter IIa, embracing section 2980 to division III, part I, title XIV of the Civil Code, relating to conditional sales.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 280—An act to amend section 4300l of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 116—An act to amend section 4300f of the Political Code, relating to fees of jurors.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after line 8, insert the following: "For each mile actually traveled in attending court as a juror, in going only, per mile, fifteen cents."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 165—An act to amend section 653w of the Civil Code, relating to nonprofit cooperative corporations.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 16 and 17 and the first word of line 18, and insert in lieu thereof the following:

"5. The division of the territory in which the association has members into districts, and the election of directors".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2 of the printed bill, following line 24, add the following:

The by-laws may provide the number of directors to be elected by each district and that primary elections shall be held to nominate the directors. In such a case the by-laws may also provide that the results of the primary elections in the various districts may be final and must be ratified by the members at the annual meeting of the association.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 25 to 28, inclusive, and insert in lieu thereof the following:

6. The terms for which the directors shall be elected, which terms shall not be less than one year nor more than five years; and also the number of directors to be elected each year.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 168—An act to amend sections 653ff, 653kk and 653jj of the Civil Code, relating to nonprofit cooperative associations, with or without capital stock.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 28, strike out the word "into", and insert in lieu thereof the words "in to".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 3 of the printed bill, in line 7, strike out the word "directions", and insert in lieu thereof the word "directors".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 3 of the printed bill, in line 44, strike out the period following the word "directors", and insert in lieu thereof the following: ", which authority may, by a similar vote, or similar written assent, be revoked."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 212—An act to add a new section to the Code of Civil Procedure, to be numbered 1770a, relating to the management of the estate of an incompetent ward, and to expenditures that may be made therefrom.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the semicolon following the word "any", and insert in lieu thereof a comma.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the word "county", and insert in lieu thereof the following: "state, and such other persons".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, lines 2 and 3, of the printed bill, after the word "incompetent" at the end of line 2, insert a comma and the following words: "if any.". Strike out the



word "or" at the end of line 2, and insert the following words: "except in cases where". After the word "proof" in line 3, insert the word "is".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 448—An act to amend the title and section 1 of an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

That line 15 of said printed bill be stricken out, and that there be inserted in lieu thereof the following: "city officials, or city and county officials, or the deputies of said officials, shall be paid by the".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 808—An act to amend section 4463 of the Political Code, relating to newspapers.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "constructed", and insert in lieu thereof the word "construed".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the words "over fifty per cent of".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the words "each issue of".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill, after the period following the word "section", insert in lieu thereof the following: "if a monthly average of at least fifty per cent of the work of typesetting and a monthly average of at least fifty per cent of the work of impressing types on paper be done in accordance with the other provisions of this title such shall be deemed to meet the requirements embodied in the word "printed".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 45—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of

receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, so as to prohibit the acceptance of more than one deposit as a fee for the same position.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, lines 12 and 13, of the title of the printed bill, strike out the following: "prohibit the acceptance of more than one deposit as a fee for the same position.", and insert in lieu thereof the following: "entitle the applicant for employment to double the amount of the fee paid in the event the fee paid is not returned within forty-eight hours after demand, in cases where the applicant fails to obtain employment."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, lines 1 and 2, of the printed bill, strike out the following: "Nor shall any such licensed person accept more than one deposit as a fee for any position at any one time."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, lines 5 and 6, of the printed bill, strike out the following: "": *provided*, that in" and insert in lieu thereof the following: "and unless the same is returned within forty-eight hours after demand, then the applicant shall be compensated for the time waited by the said licensed person paying to the applicant an additional sum equal to the amount of the fee paid. Nothing in this provision, however, shall be construed to apply to controversies arising on account of other provisions of this act. "In".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in application therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the Commissioner, or for failing to list in the application all persons financially interested in the agency

in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, insert before the word "that" the following: "that shall, by advertisement or otherwise, offer, as one of its main objects or purposes, to procure employment for any person who shall pay for its services, or".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 29, of the printed bill, strike out the period after the word "employment" and insert in lieu thereof the following: ". *provided*, that nothing in this act shall be construed to include a nonprofit organization or corporation, organized for the purpose of economic adjustment, civic betterment and the giving of vocational guidance and placement to its members; and in which none of the directors, officers or employees thereof receive any profit other than a nominal salary for services performed for the organization or corporation; and in which no fee is charged for employment services other than a membership fee and/or dues entitling the person paying the same to full participation and benefits of the organization or corporation; and in which such membership fees and/or dues charged are used solely for maintenance of the organization or corporation; *provided, further*, that all organizations and corporations charging membership fees and/or dues and engaged in furnishing employment to their members must, in order to be exempt from the provisions of this act under this section, file, on or before the first day of April of each year, with the commissioner of the bureau of labor statistics, a copy of their by-laws and constitutions, together with a sworn statement setting forth their place of business, the names and addresses of their officers, directors and employees and the salaries they receive, and showing also the various benefits furnished to members of such organization or corporation and the membership fees and dues charged or collected by such organization or corporation from its members."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 4, line 2, of the printed bill, strike out the comma after the word "associates" and insert in lieu thereof the word "or"; also strike out the words "stockholders or bondholders,".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 4, lines 29 and 30, of the printed bill, strike out the comma after the word "associates" and insert in lieu thereof the word "or"; also strike out the words "stockholders or bondholders,".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Labor and Capital.

Senate Bill No. 43—An act to amend section 18 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules



and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by providing for penalties for violations of the said act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 41—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the license fees to be paid by licensed employment agencies and surety bonds required of them.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the word "two" and insert in lieu thereof the word "one".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, strike out the words "one hundred" and insert in lieu thereof the word "fifty".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 2, of the printed bill, strike out the word "forty" and insert in lieu thereof the words "twenty-five".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, insert the word "and" before the word "a".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed bill, strike out the word "fifty" and insert in lieu thereof the word "ten".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 2, lines 4 to 6, of the printed bill, strike out the words "in cities having a population of ten thousand or over and not exceeding forty thousand; and a license fee of twenty-five dollars".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 2, line 7, of the printed bill, strike out the word "ten" and insert in lieu thereof the words "twenty-five".

Amendment adopted.

##### AMENDMENT NUMBER EIGHT.

On page 2, line 14, of the printed bill, strike out the word "forty" and insert in lieu thereof the words "over twenty-five"; also strike out the words "or over".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 17, of the printed bill, strike out the word "forty" and insert in lieu thereof the words "twenty-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## SENATOR LYON IN THE CHAIR.

At eleven o'clock and five minutes a.m., Senator Lyon of the Thirty-fourth District was called to the chair.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for

the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 580 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR ALLEN, J. M., IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Senator Allen, J. M., of the Second District was called to the chair.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

At twelve o'clock and thirty-five minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Senate Bill No. 387—An act to amend sections 1016, 1017 and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

Bill read third time.

HOURLY OF RECESS EXTENDED.

At one o'clock p.m., the hour of recess was extended until one o'clock and twenty minutes p.m.

POSTPONEMENT OF CONSIDERATION.

On motion of Senator Baker, further consideration of Senate Bill No. 387 was postponed until Wednesday, March 23, 1927.

RECESS.

At one o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 849—An act to amend "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose



of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto, to be numbered section 26, to provide for the dissolution of such levee districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 849 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Christian, Cobb, Evans, Fellom, Hollister, Hurley, Johnson, Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Sharkey, Swing, Taylor, Wagy, Weller, West, and Young—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 487—An act to add a new section to the Civil Code, to be numbered section 3321, relating to the measure of damages by the payment of a check which has been ordered stopped.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 487 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Chamberlin, Christian, Cobb, Evans, Fellom, Hollister, Hurley, Johnson, Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Sharkey, Swing, Taylor, Wagy, Weller, West, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 486—An act to add a new section to the Civil Code, to be numbered section 3265g, relating to the stopping of payment of checks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 486 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Chamberlin, Christian, Cobb, Evans, Fellom, Hollister, Hurley, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATOR TUBBS IN THE CHAIR.

At two o'clock and fifty minutes p.m., Senator Tubbs of the Nineteenth District was called to the chair.

Senate Bill No. 642—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 20, 31, 65, 80, 83 and 105, and by adding new sections thereto, to be numbered

sections 31*e* and 31*d*, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 642 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlain, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 175—An act to amend sections 2, 3 and 4, powers and duties of the board, 11 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 30, 1905, as amended March 21, 1907, April 21, 1909, and May 27, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 175 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code, to be numbered 1096*a*, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 381 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—31.

NOES—Senators Fellom, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gray moved to refer Senate Bill No. 49 to Senator Crowley, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill as amended in the Senate, March 10, and insert in lieu thereof the following:

An act to amend section six of an act approved April 30, 1919, to amend an act entitled "An act to amend section six of an act entitled 'An act concerning the waterfront of the city and county of San Francisco,'" approved May 17, 1917.

## AMENDMENT NUMBER TWO.

Strike out all of lines 1, 2, 3 and 4 of the printed bill, and insert in lieu thereof the following:

SECTION 1. Section 6 of an act approved April 30, 1919, to amend an act entitled "An act to amend section 6 of an act entitled 'An act concerning the waterfront of the city and county of San Francisco,'" approved May 17, 1917, is hereby amended to read as follows:

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 49, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Special Committee.

Report read, and on motion of Senator Gray adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Senate Bill No. 115 to Senator Maloney, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 3, line 21, of the printed bill, strike out all of lines 21 to 42, both inclusive, and all of line 43 to and including the word "act," and insert in lieu thereof:

Sec. 4. The board may acquire in any manner for sale to a veteran a farm, the value of which does not exceed the sum of seven thousand five hundred dollars or a home the value of which does not exceed the sum of seven thousand five hundred dollars, which farm or home must be situated in the State of California; *provided*, that the cost of said home to the board does not exceed the sum of five thousand dollars, and that said veteran purchasing said home may and he is hereby given the right to advance a sum of money not exceeding the sum of two thousand five hundred dollars on the purchase price of said home so that the total purchase price of said home shall not exceed the sum of seven thousand five hundred dollars; *provided*, that no veteran shall receive the benefits hereof who, in the case of the purchase by him of a farm, would thereby become the holder of real estate exceeding in value the sum of seven thousand five hundred dollars, or in the case of the purchase by him of a home would thereby become the holder of real estate exceeding in value the sum of seven thousand five hundred dollars; *provided, further*, that the board may acquire a farm or home in which the veteran to whom such farm or home is to be sold has theretofore acquired an interest; *and provided, further*, that no veteran who has taken advantage of the benefits of the California veterans' welfare act, or of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war, and making an appropriation therefor," approved May 30, 1921, both of which acts were adopted by the forty-fourth session of the Legislature of the State of California, shall be permitted to take advantage of the opportunities afforded under this act.

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 115, with instructions to amend, respectfully reports the same back, amended as per instructions.

MALONEY, Special Committee.

Report read, and on motion of Senator Garrison adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Senate Bill No. 82 to Senator Jones, Ray, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out the following: "or a constable, marshal, or policeman of a town," and insert in lieu thereof the following: "marshal of a municipal court, or a constable of a township, marshal, or policeman of a".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 82, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, RAY, Special Committee.

Report read, and on motion of Senator Chamberlin adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 466—An act to amend an act entitled "An act to regulate the issuance of licenses for resale to hunters and 'anglers'," approved May 20, 1915, as amended.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Young moved to refer Senate Bill No. 466 to Senator Baker, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "amend", insert the following: "section two of".

## AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the words "an act to amend" and insert in lieu thereof the following: "section 2 of".

## AMENDMENT NUMBER THREE.

Strike out all of lines 5 to 22, of page 1, of the printed bill, and insert in lieu thereof the following:

Sec. 2. For each license sold, registered and accounted for by any person, except by a fish and game commissioner or a deputy or assistant fish and game commissioner paid a salary in full for his services to the state, he shall be allowed as compensation, for his own use, out of the fish and game preservation fund, five per cent of the amount or amounts accounted for by him.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 466, with instructions to amend, respectfully reports the same back, amended as per instructions.

BAKER, Special Committee.

Report read, and on motion of Senator Young adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 610 to Senator Sharkey, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, lines 11 and 12, of the printed bill, strike out the following: "by agents appointed by the fish and game commission" and insert in lieu thereof the following: "by the county clerk of any of the counties of this state".

## AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, strike out the words "and said fish and game commission" and insert in lieu thereof the following: "which said licenses shall be prepared and furnished to the county clerks for their own disposition by the fish and game commission, which shall take receipt therefor by numbers and quantity from the several county clerks and the county clerks shall be responsible therefor, and the said county clerks".

## AMENDMENT NUMBER THREE.

On page 1, line 21, of the printed bill, after the period insert the following: "For each license sold, registered and accounted for by any person except a fish and game commissioner, he shall be allowed as compensation, for his own use, out of the fish and game preservation fund, five per cent of the amount accounted for."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 610, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 164—An act to add a new section, to be numbered section 22a, to the "Juvenile Court Law," approved June 5, 1915, as amended, relating to maintenance of public schools in detention homes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 164 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 579—An act to add a new section to the Code of Civil Procedure, to be numbered 1900a, relating to uniform proof of statutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 579 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 193—An act to provide an institution for the confinement, cure, care and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape or aiding or advising in the escape of inmates, or concealing inmates thereof; and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 193 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—33.

NOES—Senators Jones, Ray, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 233—An act to provide for the organization and government of water conservation districts for the purpose of conserving and storing the waters of any stream of water or unnavigable river by spreading and sinking such waters, and, for that purpose, to construct or acquire spreading basins, sinking wells and sinking basins and other works and property; and for the purpose of appropriating, acquiring and conserving water and water rights, and taking any and



all actions and proceedings that may be necessary or advisable to conserve and protect the waters or water rights within the district used or useful for any purpose of the district, or of common benefit to the lands situated therein, and to prevent interference with or diminution of the natural flow of any stream or unnavigable river, including the natural subterranean supply of water therefrom; to provide for the levying and collecting of taxes and special assessments to pay the costs and expenses incurred in relation thereto; to prohibit any director of a district from being interested in any contract with the district of which he is a director and making a violation of such provision a misdemeanor; and to provide a method of dissolving such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 233 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON REAPPORTIONMENT.

##### SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—11; noes—1; absent—1.

WELLER, Chairman.

Senate Bill No. 490 ordered on file for second reading.

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

##### SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to conditional sales;

Also: Senate Bill No. 349—An act to add a new chapter to be numbered chapter 11a embracing section 2980 to division III, part I, title XIV, of the Civil Code, relating to conditional sales;

Also: Senate Bill No. 43—An act to amend section 18 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by providing for penalties for violations of the said act; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined the following Senate Bill No. 171—An act to add a new section to be

numbered 7½ to an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, conferring jurisdiction upon the Railroad Commission to award reparation against transportation companies—and reports that the same has been correctly enrolled, and presented to the Governor on the twenty-second day of March, 1927, at 2 o'clock and 50 minutes p.m.

JONES, RAY, Chairman.

#### ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 841—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

Senate Bill No. 841 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 850—An act appropriating money for the support of the State Board of Health for the employment of public health nurses for the control of communicable diseases among the Indians of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—9; absent—2.

CROWLEY, Chairman.

Senate Bill No. 850 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 178—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; noes—1; absent—2.

CROWLEY, Chairman.

Senate Bill No. 178 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents;

Also: Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended;

Also: Assembly Bill No. 317—An act to amend section 24 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed; to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended;

Also: Assembly Bill No. 457—An act to amend sections 2, 3, 4, 11 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 20, 1905, as amended; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

CROWLEY, Chairman.

Senate Bills Nos. 25 and 315 ordered on file for second reading:

Assembly Bills Nos. 315 and 457 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

CROWLEY, Chairman.

Senate Bill No. 343 ordered on file for second reading.

#### ON JUDICIARY.

#### SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors;

Also: Senate Bill No. 483—An act to amend section 411 of the Code of Civil Procedure of the State of California, relating to the service of summons;

Also: Senate Bill No. 484—An act to amend section 563a of the Penal Code, relating to false entries;

Also: Senate Bill No. 543—An act to amend section 791 of the Political Code, relating to the number of notaries public in counties of the second class;

Also: Senate Bill No. 592—An act to amend section 494 of the Civil Code of the State of California, relating to the sale of property and franchises of railroad corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—14.

JONES, H. C., Chairman.

Senate Bills Nos. 478, 483, 484, 543 and 592 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

#### SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 198—An act to amend section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor, approved March 11, 1907, as amended;

Also: Senate Bill No. 200—An act to amend sections 1, 3 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, as amended;



Also: Senate Bill No. 815—An act to amend section 1 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended; and add a new section to be numbered 7½, relating to the conduct of training schools for nurses:

Also: Assembly Bill No. 407—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership: 11; committee vote: Ayes—9; absent—2.

CROWLEY, Chairman.

Senate Bills Nos. 198, 200 and 815 ordered on file for second reading.  
Assembly Bill No. 407 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 21, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the land title law, as adopted by Initiative Act at the election of November 3, 1914:

Also: Senate Bill No. 573—An act to amend sections 224, 226, and 227 of, and to add two new sections to be numbered 224a, and 226a, to the Civil Code, relating to adoption:

Also: Senate Bill No. 596—An act to amend the Civil Code by adding a new section thereto, to be known as section 161a thereof, relating to the respective interests of husband and wife in community property, and more clearly defining the same:

Also: Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—14.

JONES, H. C., Chairman.

Senate Bills Nos. 327, 573, 596 and 857 ordered on file for second reading.

\* Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 672—An act to amend sections 164, 167, 172 and 172a of the Civil Code, relating to community property—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—14; committee vote: Ayes—14.

JONES, H. C., Chairman.

Senate Bill No. 672 ordered on file for second reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 292—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1077—An act to amend section 1 of an act providing for topographic surveys and investigation of the water resources of the State and making an appropriation therefor, approved April 22, 1909.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to poll-lists and tally-lists, to add a new section 1174a to the Political Code, relating to roster and poll-lists, and to repeal section 1229 of the Political Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, strike out the words "poll lists" and substitute in lieu thereof the word "roster".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the title of the printed bill, strike out the word "poll" and substitute in lieu thereof the word "tally".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the words "poll list and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out the word "poll" and substitute in lieu thereof the word "tally".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 4, of the printed bill, strike out the word "poll" and substitute in lieu thereof the word "tally".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 33, of the printed bill, strike out the word "poll" after the word "and" and substitute in lieu thereof the word "tally".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 35, of the printed bill, strike out the word "poll" and substitute the word "tally".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 811—An act to amend sections 1113 and 1115, Political Code, relating to the preparation of registration books.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

**AMENDMENT NUMBER ONE.**

On page 1, line 4, of the printed bill, before the word "clerk" insert the word "county".

Amendment adopted.

**AMENDMENT NUMBER TWO.**

On page 1, line 6, of the printed bill, before the word "shall" insert the words "or registrar of voters".

Amendment adopted.

**AMENDMENT NUMBER THREE.**

On page 1, line 6, of the printed bill, after the word "surnames" omit the comma and insert the following: "in each precinct".

Amendment adopted.

**AMENDMENT NUMBER FOUR.**

On page 1, line 6, of the printed bill, after the word "books" insert the following: "with an alphabetical index".

Amendment adopted.

**AMENDMENT NUMBER FIVE.**

On page 1, line 22, of the printed bill, before the word "clerk" insert the word "county".

Amendment adopted.

**AMENDMENT NUMBER SIX.**

On page 1, line 22, of the printed bill, before the word "shall" insert the words "or registrar of voters".

Amendment adopted.

**AMENDMENT NUMBER SEVEN.**

On page 1, line 22, of the printed bill, before the word "said" insert the following: "for county or city and county elections,".

Amendment adopted.

**AMENDMENT NUMBER EIGHT.**

On page 1, line 24, of the printed bill, after the word "books" change the period to a comma and insert the following: "and also a ruled space, in front of the name of the elector, within which to write the word "Voted" for each elector who votes."

Amendment adopted.

**AMENDMENT NUMBER NINE.**

On page 2, line 3, of the printed bill, before the word "clerk" insert the word "county".

Amendment adopted.

**AMENDMENT NUMBER TEN.**

On page 2, line 3, of the printed bill, before the word "shall" insert the words "or registrar of voters".

Amendment adopted.

**AMENDMENT NUMBER ELEVEN.**

On page 2, line 4, of the printed bill, after the word "shall" insert the words "at the same time also".

Amendment adopted.



## AMENDMENT NUMBER TWELVE.

On page 2, line 8, of the printed bill, after the word "clerk" insert the words "or registrar of voters".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 2, line 21, of the printed bill, before the word "clerk" insert the word "county".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 2, line 21, of the printed bill, before the word "shall" insert the words "or registrar of voters".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Elections.

## ADJOURNMENT.

At four o'clock p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, March 23, 1927.

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IN SENATE.SENATE CHAMBER,  
SACRAMENTO, Wednesday, March 23, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—89.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 22, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Mueller was, on motion of Senator Gray, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. F. W. Sweetser, supervisor of Marin County.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. John Wallace and Mrs. Stella E. Lewald of San Francisco, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Ernest Weyand of Colusa, California.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Randolph Whiling and Mr. Charles McColgan, Division Chief of Internal Revenue Department, of San Francisco, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Henry Gattell and Mr. John F. Galvin of Richmond, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. A. D. Goodwin and Charles Anderson of Stockton, California, president and secretary of the San Joaquin County Farm Bureau.

On request of Senator Hurley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. L. C. Grasser, Mrs. J. N. Brock, Mr. and Mrs. J. N. Steiner, Mrs. T. Anderson, Mrs. W. H. Kenny, Mrs. M. B. Nickols, Mrs. W. N. Jenkins, Mrs. D. Clark, and Mrs. G. W. Reynolds of Oakland, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Principal J. J. Finney, of Crystal Grammar School, Suisun, and students as follows: Howard King, Delvin Sweet, Jack Cody, Katherine Chadbourne, Juanita Gregory, Hazel Scarlett, Helen Emmington, June Beeman, Beth Davisson, Mildred Fortier, Mabrey Simpson, Grace Hepner and Linda Ghiorzo; also Mr. and Mrs. W. T. Gregory, Frank Sweet, A. Davisson; Mrs. W. U. Goodman, president Parent-Teacher Association; Mrs. J. J. Finney and Miss Eleanor Rush.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Annabelle Frates, Carl Hunter, Emily Eby, John Zahara, Henry Crowle, Herbert Crowle, Ted Kirby, Ruby Kilsby, Stanley Buchanan, Edison Glenn, Alfred Relvas, Lester Burnett, Phillip Jacobs, Richard Horn, Rose Byrne, Avis Biggs, Marshall Clarke, Phyllis Oliver, Paul Lemon, Yount Jumper, Thomas Maxwell, Mildred Hildreth, Nobert Relvas, Minerva Payne, Arvilla Strouse, Fred De Nure, Leola Coval, Muriel Dixon, Chester Burnett, Ella Tracey, Helen Berg, William Casten, Wilma Tucher, Alvin Tucher, Margaret Hall, Tommy Hall, and William Burnett, pupils, and Mrs. Lora F. Moore, Dan H. Reese, Mrs. Dan H. Reese, teachers, of the Folsom Grammar School of Folsom, California.

On request of Senator Rush the privilege of the floor of the Senate Chamber for the day was unanimously extended to teachers of the Napa Union High School, Mr. E. E. Crawford, principal, Miss C. Alice Hawkins, Miss Annabelle Beal, and Miss Hazel Collins, and students as follows: Rudolph Bauman, Anita Thomas, Virginia Rosson, James Corley, Elmer Davison, Emil Grasman, Daline Smith, Bernice Canning, Anna Smith, Mabel Park, Leland Burkett, Evelyn Webber, Randall Kelly, Gordon Lowe, Alfred Watson, Jean Crawford, Lawrence Crandall, Olga Hopper, Emilie Harding, Bertha Pramme, Alvin Klase, Donald Funke, John Garaventi, Thomas Malloy, Philip Malloy, Elmer

Guidatti, Malcolm Green, Carl Struoe, Enoch Yates, Genevieve Frammelt, Gladys Downing, Dorothy Hausen, Roderick Mount, Anita Thomas, George Riggins, Marjorie Hearn, Carl Franco, Vinton Gosling, Lamar Tallman, Donald West, Pauline Land, Janet Gilles, Robert Jeffery, Frank Peres, Edwin Thomas, Charles Martin, James Raney, Kenneth Hall, Irving Manasse, Joseph Loneragan, Stanley Vallerga, Steven Ghisletta, Juanice Willborn, Mary Moss, Betty Sheffield, Alita Cassady, Greta Newton, Ruby Williams, William Rogers, Edith Holland, Ruth Raeder, Lillian Algeo, Katherine Greco, Martha Sawyer, Carl Swanson, Eugene Charlesworth, Theodore Thibant, Marcia Nye, Hector McLean, Hilary Helsley, John Garavanta, William Comm, Randall Kelly, Terrill Nichol, Bryant Fitch, Evelyn Webber and father, Ruby Williams, Mildred Peterson, Greta Newton, Alita Cassady, James Cooley, Emil Grassman, Irving Schwarz, Miss Palmer, Ruth Orth, Roderick Mount, Miss Beal, Placyda Daly, Gladys Downing, Roy Pridmore, Velma Edington, Renard Farrar, Mr. Post, Dorothy Hanson, Mary Moss, Ruth Polzin, Theo Thibout, Mr. Lammel, Carlton Muller, Max Farrar, Roy Fisher, Mr. Kahn, Thomas Malloy, Phillip Malloy, Joseph Lornnergan, Alfred Caldwell, Carl Swanswon and mother, Alfred Watson, Frank McDermott, Elmer Davidson, Gordon Lowe, Robert Harris and mother, Hilary Helsey, Cecelia Beck, John Garavanta, C. Hawkins, Edith Holland, Ruth Raeder, Lillian Alger, Kathryn Greco, Clark Lilburn, Mr. Hemmerling, Bill Buehler, Reva Decker, Malcolm Green, Theresa Wellborn, Cordelia Clark, Nathan Coombs, Dot Jaekle, Ferril Nickle, Mr. Mackey, Bryant Fitch, William Rogers and mother, Carl Knoll, Charles Martin, John Foksett, Ralph Lin, Ed. Schulze, Clinton Melane, Martha Sawyer, Mrs. Sawyer, Herbert Sawyer, Rebecca Wetmore, Mary Gardner, Lucia Marcellin, Marcia Nye and mother, Eugene Charlesworth, Hector McLean, Ona Whitman and mother, Clifford Rossen, Art Tackey, Helen Whitman, Mr. Heston, Carl Struve, Eugene Minsk, George Riggins, Stephen Ghisletti, Mrs. Jaekle, Claudine Heflin, Mildred Korf, Alice Shaw, Virginia Ferrogiar, Ruby Williams, Edith Owen, Mrs. Gould, Herbert Gould, Doris Kolthen, Margaret Cooksey, Max Farrar, Rae Otten and Jaqueline Brentt.

On request of Senator Taylor, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. R. A. Condee of Chino, California, president California State Board of Agriculture.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Ray French of Sacramento, California.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Edith Holland and Ruth Raeder of Napa, California.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 69—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant;



Also: Assembly Bill No. 110—An act to add a new section to be numbered 4a and to amend sections 1, 8 and 9 of an act entitled "An act to provide for the regulation, control and licensing of any person, firm or corporation engaging in the business of milling, sampling, concentrating, reducing, purchasing, or receiving for sale ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold bullion, nuggets or specimens; to provide rules and regulations therefor; and to provide penalties for the violation of the provision of this act," approved April 15, 1925, relating to licenses and reports;

Also: Assembly Bill No. 178—An act to amend section 13 of the "State Medical Practice Act," approved June 2, 1913, as amended, relating to reciprocity certificates;

Also: Assembly Bill No. 195—An act to amend an act entitled "An act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes," approved May 29, 1913, by adding thereto two new sections to be numbered 3 and 4;

Also Assembly Bill No. 223—An act to amend section 1862 of the Civil Code, relating to the sale at auction of unclaimed baggage.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 69 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 110 read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 178 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 195 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 223 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 238—An act to amend an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District': to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, by amending section 6 thereof, relating to elections;

Also: Assembly Bill No. 258—An act to amend section 1916 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the sixteenth class and providing an additional assistant probation officer in counties of said class;

Also: Assembly Bill No. 262—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes;

Also: Assembly Bill No. 372—An act to amend section 438 of the Code of Civil Procedure, relating to counter claims.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 238 read first time, and referred to Committee on Conservation.

Assembly Bill No. 258 read first time, and referred to Committee on County Government.

Assembly Bill No. 262 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 372 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 373—An act to amend section 430 of the Code of Civil Procedure, relating to demurrers;

Also: Assembly Bill No. 374—An act to amend section 427 of the Code of Civil Procedure, relating to the joinder of causes of action;

Also: Assembly Bill No. 375—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation of actions;

Also: Assembly Bill No. 376—An act to add a new section to the Code of Civil Procedure to be numbered 1062a, relating to declaratory relief;

Also: Assembly Bill No. 377—An act to amend section 378 of the Code of Civil Procedure;

Also: Assembly Bill No. 378—An act to add a new section to the Code of Civil Procedure to be numbered 379c, relating to the joinder of parties defendant;

Also: Assembly Bill No. 379—An act to add a new section to the Code of Civil Procedure to be numbered 391, relating to the joinder of parties to actions.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 373, 374, 375, 376, 377, 378 and 379 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 413—An act to amend section 17 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued;" approved June 11, 1915, as amended;

Also: Assembly Bill No. 536—An act to add a new section to the Political Code, to be numbered 1607c, relating to the powers and duties of boards of school trustees and city boards of education and authorizing such boards to establish, maintain, and operate cafeterias in the schools under their jurisdiction;

Also: Assembly Bill No. 555—An act to amend section 4095 of the Political Code, relating to the duties of county auditors;

Also: Assembly Bill No. 558—An act to amend section 4263 of the Political Code, relating to the salaries, fees, and expenses of the county officers of counties of the thirty-fourth class;

Also: Assembly Bill No. 592—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended, relating to the disability of children;

Also: Assembly Bill No. 738—An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for the violation thereof.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 413 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 536 read first time, and referred to Committee on Education.

Assembly Bills Nos. 555 and 558 read first time, and referred to Committee on County Government.

Assembly Bill No. 592 read first time, and referred to Committee on Education.

Assembly Bill No. 738 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 819—An act to add three new sections to the Political Code, to be numbered 1780, 1620a, and 1543c, providing for the cooperative purchase of standard school supplies and equipment by school districts;

Also: Assembly Bill No. 836—An act to amend 1764 of the Political Code, relating to schools;

Also: Assembly Bill No. 940—An act to amend section 3678 of the Political Code, relating to revenue and taxation;

Also: Assembly Bill No. 1064—An act to amend section 1610 of the Political Code, relating to schools;

Also: Assembly Bill No. 1162—An act to amend section 2572 of the Political Code, relating to salaries of the Commissioners of the Board of Harbor Commissioners of the Port of Eureka.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 819 and 836 read first time, and referred to Committee on Education.

Assembly Bill No. 940 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1064 read first time, and referred to Committee on Education.

Assembly Bill No. 1162 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses;

Also: Senate Bill No. 81—An act to amend sections 8 and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to narcotic drugs;

Also: Senate Bill No. 271—An act to amend section 2 of "The State Medical Practice Act," approved June 2, 1913, as amended;

Also: Senate Bill No. 130—An act to amend section 19256 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of the probation officer in counties of the fifty-sixth class.

Also: Senate Bill No. 134—An act to add a new section to be numbered 4235m to the Political Code, relating to the sheriff's special fund.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 73, 81, 271, 130 and 134 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 22—Relative to an investigation and report as to needed revision of the Statutes of California.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Concurrent Resolution No. 22 read, and referred to Committee on Judiciary.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act, relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act, relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED EIGHT.

AMENDMENT NUMBER ONE.

Strike out entire section 2, of said bill, on page 4 thereof.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 308?

The roll was called, and Assembly amendment to Senate Bill No. 308 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II $\frac{1}{2}$ , embracing sections 367 to 367 $\frac{1}{2}$ , relating to a Department of Social Welfare—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article II $\frac{1}{2}$ , embracing sections 367 to 367 $\frac{1}{2}$ , both inclusive, relating to a Department of Social Welfare.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED NINETY-FOUR.

AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, as amended in the Senate on the third day of March, 1927, strike out the words "such reference".

AMENDMENT NUMBER TWO.

On page 3, line 44, of the printed bill, strike out the word "or".

AMENDMENT NUMBER THREE.

On page 3, line 44, of the printed bill, after the word "welfare", strike out the period and insert in lieu thereof a comma and add the following: "or the children's agents of the state board of control."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 794?

The roll was called, and Assembly amendments to Senate Bill No. 794 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagye, Weller, West, and Young—35.

NOES—None.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 302—An act to amend the title and sections 1, 2, 3, 4, 9, and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 280—An act to amend section 4300 of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

##### ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash of warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof:

Also: Assembly Bill No. 240—An act to amend the title and to amend sections 1, 2, 3, 5, 6, 9, 11, 16, 23a and 24 of an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, as amended, and to add to said act a section, to be numbered 24b, relating to reassessment:

Also: Assembly Bill No. 241—An act to validate bonds issued under Drainage District Improvement Act of 1919 and all proceedings relative thereto:

Also: Assembly Bill No. 683—An act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 2047, and all acts and proceedings of said district and of the trustees and officers thereof, and the proceedings relating to the inclusion of additional lands within the district, and defining and declaring the exterior boundaries of said district:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

RUSH, Chairman.

Senate Bill No. 855 ordered on file for second reading.

Assembly Bills Nos. 240, 241 and 683 ordered on file for second reading.

##### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 609—An act to amend sections 4 and 5 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Com-

mission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, and to add to said act a new section to be numbered 8—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—15; committee vote: Ayes—12; absent—3.

CHAMBERLIN, Chairman.

Senate Bill No. 609 ordered on file for second reading.

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson, to introduce a bill entitled—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West and Young—33.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Johnson: Senate Bill No. 868—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations.

Bill read first time, and referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 835—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

WEST, Chairman.

Senate Bill No. 835 ordered on file for second reading.

#### ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 695—An act to amend sections 1 and 8 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State



and to report all acts or parts of acts in conflict with this act," approved April 12, 1925, are on the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership, 5; committee vote, Ayes 5, absent 1.

HANDY, Chairman.

Senate Bill No. 695 ordered on file for second reading.

Also:

Mr. President: Your Committee on Banking to which was referred Senate Bill No. 696, An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and counties, city, town, waste, party or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act, have on the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership, 5; committee vote, Ayes 5, absent 1.

HANDY, Chairman.

Senate Bill No. 696 ordered on file for second reading.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Breed:

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

Mr. President: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities," providing for the enforcement of said act and penalties for the violation thereof, and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC. (RESUMED)

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER

TWENTY-FOUR

Senator Slater asked for and was granted unanimous consent to take up for consideration at this time, without reference to committee, Senate Concurrent Resolution No. 24 for the purpose of adoption.

By Senator Slater: Senate Concurrent Resolution No. 24. Approving a certain amendment to the charter of the city of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the electors of said city at the special municipal election held therein, on the tenth day of March, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes: Senators Allen, J. M. Allen, S. M. Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Follen, Gray, Handy, Harbo, Ingram, Juman, Johnson, Jones, H. C., Klus, Maloney, McKenney, Murphy, Nelson, Pedrotti, Rush, Slater, Ewing Taylor, Tubbs, Wagy, West, and Young—31.

Noes: None.

77

Title read and approved.

Senate Concurrent Resolution No. 24 ordered transmitted to the Assembly.

## CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 5, line 16, of the printed bill, after the word "establishments", strike out the period, and insert in lieu thereof a semicolon and the following words: "and *provided further, however*, that any order of the state fire marshal revoking the license of any clothes cleaning establishment is subject to a review by the court and can be set aside only upon the grounds that the state fire marshal has exceeded his powers or has been guilty of fraud in the use of such order".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 4, line 41, of the printed bill, strike out the words "one hundred", and in line 42, page 4, strike out the word "dollars" and the figures "\$100)", and insert in lieu thereof the words "fifty dollars" and the figures "(\$50)".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 6, line 18, of the printed bill, after the word "chapter", strike out the dash, and insert in lieu thereof the figures "386".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 6, line 30, of the printed bill, at the conclusion of section 4, insert the following paragraph:

"If any sentence, clause, or portion of this act should be declared unconstitutional such decision shall not invalidate any remaining portions of this act".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words, "including provision for unearned income and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, strike out the words, "and including provision for unearned income".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, strike out the words "including provision for unearned income and".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 28, of the printed bill, strike out the words "and including provision for unearned income".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 41, of the printed bill, strike out the words "and including provision for unearned income".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 3, line 13, of the printed bill, strike out the words "and including provision for unearned income" together with the comma after the word "income".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 748—An act to amend section 453 of the Civil Code, relating to mutual benefit and life insurance associations, and the manner in which and the conditions upon which such associations may do business in this State.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the word "and" at the end of said line after the word "thereof".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, strike out the word "scientific" before the words "reserve basis".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, strike out the word "shall" after the word "specified" and insert in lieu thereof the word "may".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, strike out the words "on which the plan" after the word "those".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 4, of the printed bill, strike out the words "is based" after the word "commissioner" and insert in lieu thereof the words "and the association".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 16, of the printed bill, strike out the word "than" after the word "greater" and insert in lieu thereof the word "then".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 21, of the printed bill, strike out the word "its" after the word "in" and insert in lieu thereof the word "the".

Amendment adopted.



## AMENDMENT NUMBER EIGHT.

On page 2, line 21, of the printed bill, insert after the word "judgment" the words "of the insurance commissioner".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 41, of the printed bill, after the word "association", insert the words "hereafter incorporated".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2, line 43, of the printed bill, strike out the words "five hundred" and insert in lieu thereof the words "one thousand".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 2, line 43, of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 194—An act to amend section 4056*b* of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the words "or private agency or both", and insert in lieu thereof the following: "agency, county agricultural associations, county fair associations, or chambers of commerce".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, lines 16 and 17, of the printed bill, strike out the following: "and the conduct of speed contests; for the giving of premiums".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 17, of the printed bill, after the comma following the word "industrial" insert the word "live-stock".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, after the comma following the word "industrial" insert the word "live-stock".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 25, of the printed bill, strike out the word "six" and insert in lieu thereof the word "four".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act," relating to registration fees.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 4 of the printed bill, commencing with line 7 strike out everything to and including line 37 on page 12.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 12, line 38, of the printed bill, strike out "39" and insert in lieu thereof "19".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 12, lines 38 and 39, of the printed bill, strike out "thirty-ninth" and insert in lieu thereof "nineteenth".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 12, line 40, of the printed bill, strike out "40" and insert in lieu thereof "20".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 12, line 41, of the printed bill, strike out "forty-first" and insert in lieu thereof "twenty-first".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 12, line 42, of the printed bill, strike out "fortieth" and insert in lieu thereof "twentieth".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 12, line 44, of the printed bill, strike out "41" and insert in lieu thereof "21".

Amendment adopted.

##### AMENDMENT NUMBER EIGHT.

On page 13, line 7, of the printed bill, strike out "forty-first" and insert in lieu thereof "twenty-first".

Amendment adopted.

##### AMENDMENT NUMBER NINE.

On page 13, between lines 8 and 9, of the printed bill, insert the following:

22. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center line of Market street with the center line of Eleventh street; thence along the center line of the following named streets, to wit: Eleventh street to Bryant avenue, Bryant avenue to Army street, Army street to San Bruno avenue, San Bruno avenue to the boundary line between the city and county of San Francisco and the county of San Mateo; thence east-

erly along said boundary line to the Bay of San Francisco; thence northerly along the shore line of said bay to its intersection with the center line of Market street; thence along the center line of Market street to the point of beginning, shall constitute the twenty-second assembly district.

23. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Dolores and Twenty-ninth streets; thence along the center line of the following named streets, to wit: Twenty-ninth to Mission, Mission to Army, Army to San Bruno avenue, San Bruno avenue to the boundary line dividing the city and county of San Francisco and the county of San Mateo; thence along said boundary line westerly to the center line of San Jose avenue; thence along the center lines of the following named streets, to wit: San Jose avenue to Dolores street, Dolores street to Twenty-ninth street, the place of beginning, shall constitute the twenty-third assembly district.

24. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Twenty-second and Dolores streets, thence along the center line of the following named streets, to wit: Dolores to San Jose avenue, San Jose avenue to the boundary line dividing the city and county of San Francisco and the county of San Mateo, thence along said boundary line, westerly, to the waters of the Pacific ocean; thence along the shore line of said ocean northerly, to the Sloat boulevard; thence along the center lines of the following named streets, to wit: Sloat boulevard to Corbett avenue, Corbett avenue to Burnett avenue, Burnett avenue to Dixie alley, Dixie alley to Grand View avenue, Grand View avenue to Twenty-second street, Twenty-second street to Dolores, the place of beginning, shall constitute the twenty-fourth assembly district.

25. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Eighteenth street and Dolores street, continuing along the center lines of the following named streets, to wit: Dolores to Twenty-ninth, Twenty-ninth to Mission, Mission to Army, Army to Bryant avenue, Bryant avenue to Eighteenth street, Eighteenth to Harrison, Harrison to Eighteenth, Eighteenth to Dolores, the point of commencement, shall constitute the twenty-fifth assembly district.

26. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of McAllister and Fillmore streets, continuing thence along the center line of the following named streets, to wit: Fillmore street to Duboce avenue, Duboce avenue to Church street, Church street to Eighteenth, Eighteenth to Dolores, Dolores to Twenty-second, Twenty-second to Grand View avenue, Grand View avenue to Dixie alley, Dixie alley to Burnett avenue, Burnett avenue to Clarendon avenue, Clarendon avenue to Clayton street, Clayton to Ashbury, Ashbury to Piedmont, Piedmont to Masonic avenue, Masonic avenue to Java street, Java street to Buena Vista avenue, Buena Vista avenue to Central avenue, Central avenue to Oak street, Oak street to Masonic avenue, Masonic avenue to McAllister street, McAllister street to Fillmore street, the place of beginning, shall constitute the twenty-sixth assembly district.

27. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Fulton street and Masonic avenue; thence along the center line of the following named streets, to wit: Masonic avenue to Oak street, Oak street to Central avenue, Central avenue to Buena Vista avenue, Buena Vista avenue to Java street, Java street to Masonic avenue, Masonic avenue to Piedmont street, Piedmont street to Ashbury street, Ashbury street to Clayton street, Clayton street to Clarendon avenue, Clarendon avenue to Burnett avenue, Burnett avenue to Corbett avenue, Corbett avenue to Sloat boulevard, Sloat boulevard to the waters of the Pacific ocean; thence along the shore line of said ocean northerly to Fulton street, Fulton street to Masonic avenue, the place of beginning, shall constitute the twenty-seventh assembly district.

28. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Fulton street and Parker avenue, thence along the center line of the following named streets, to wit: Parker avenue to California street, California street to Maple avenue, Maple avenue to the southerly line of the Presidio reservation; thence westerly along the southerly boundary of the Presidio reservation to Lobos creek; thence along the center line of Lobos creek to the waters of the Pacific ocean; thence westerly and southerly along the said shore line to Fulton street, Fulton street to Parker avenue, the point of beginning, together with the islands known as the Farallon islands, shall constitute the twenty-eighth assembly district.

29. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of McAllister street and Van Ness avenue, thence along the center lines of the following named streets, to wit: Van Ness avenue to Market street, Market street to Eleventh street, Eleventh street to Bryant avenue, Bryant avenue to Eighteenth street, Eighteenth street to Harrison street, Harrison street to Eighteenth street, Eighteenth street to Church street, Church street to Duboce avenue, Duboce avenue to Fillmore street, Fillmore street to McAllister street, McAllister street to Van Ness avenue, the place of beginning, shall constitute the twenty-ninth assembly district.



30. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Pine street and Van Ness avenue, thence along the center line of the following named streets, to wit: Van Ness avenue to McAllister street, McAllister to Masonic avenue, Masonic avenue to Fulton street, Fulton street to Parker avenue, Parker avenue to California street, California street to Presidio avenue, Presidio avenue to Pine street, Pine street to Van Ness avenue, the point of beginning, shall constitute the thirtieth assembly district.

31. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Pine street and Van Ness avenue, thence along the center line of the following named streets, to wit: Van Ness avenue to the bay of San Francisco, thence along the shore line of said bay to the waters of the Pacific ocean; thence along the shore line of said ocean to Lobos creek; thence along the line of said Lobos creek to the southerly boundary line of Presidio reservation; thence along said boundary line to Maple street, Maple street to California street, California street to Presidio avenue, Presidio avenue to Pine street, Pine street to Van Ness avenue, the point of beginning, shall constitute the thirty-first assembly district.

32. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Van Ness avenue and Market street, continuing along the center line of the following named streets, to wit: Van Ness avenue to the waters of the bay of San Francisco; thence easterly along the shore line of said bay to Jones street, Jones street to Green street, Green street to Mason street, Mason street to Ellis street, Ellis street to Jones street, Jones street to Market street, Market street to Van Ness avenue, the point of beginning, shall constitute the thirty-second assembly district.

33. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of Market street and Jones street, continuing thence along the center line of the following named streets, to wit: Jones to Ellis, Ellis to Mason, Mason to Green, Green to Jones, Jones to the waters of the bay of San Francisco; thence easterly along the shore line of said bay to Market street, Market street to Jones street, the point of beginning and the islands of the bay of San Francisco within the city and county of San Francisco, shall constitute the thirty-third assembly district.

34. All of that portion of the county of Alameda lying southerly and easterly of a line described as follows: Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence in a general northerly direction along said boundary line to the center of East Fourteenth street; thence northwesterly following along the center line of East Fourteenth street to the center line of Sixty-eighth avenue; thence northeasterly along the center line of Sixty-eighth avenue to the center line of Flora street; thence northwesterly along the center line of Flora street to the center line of Sixty-eighth avenue; thence northeasterly along the center line of Sixty-eighth avenue to the center line of Foothill boulevard; thence easterly along the center line of Foothill boulevard to the center line of Sixty-ninth avenue; thence northerly and northeasterly along the center line of Sixty-ninth avenue to the line known as the Brothers line, being the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio, to the line between Eden and Brooklyn townships on the northeasterly boundary line of the city of Oakland; thence following the northeast boundary line of the city of Oakland in a northwesterly direction, to its intersection with the northeasterly boundary line of the county of Alameda, shall constitute the thirty-fourth assembly district.

35. All of that portion of the county of Alameda lying easterly of a line described as follows: Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence northerly and easterly along said boundary line to the center of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to its intersection with the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to an intersection with the center line of East Twentieth street; thence northwesterly along the center line of East Twentieth street to the intersection with the center line of Park boulevard; thence easterly along the center line of Park boulevard to the intersection with the center line of Newton avenue; thence northwesterly along the center line of Newton avenue and its direct production northerly, to the intersection with the center line of Brooklyn avenue; thence northwesterly along the center line of Brooklyn avenue and its direct extension to the intersection with a line dividing Brooklyn and Oakland townships, said point being in Lake Merritt; thence south-

westerly along said township line to its intersection with the northerly boundary line of Alameda township; thence westerly following along the said northerly boundary line of Alameda township line to its intersection with the westerly boundary line of Alameda county; thence southeasterly along said county boundary line to the point of beginning, shall constitute the thirty-fifth assembly district.

36. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Thirteenth avenue is intersected by the center line of East Fourteenth street, in the city of Oakland; thence northeasterly along the center line of Thirteenth avenue to the intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to the intersection with the direct production southeasterly of the southerly boundary line of the city of Piedmont; thence northwesterly along said production to the southeast corner of the boundary line of the city of Piedmont; thence following the southeasterly and northeasterly boundary lines of the city of Piedmont to the line dividing Oakland and Brooklyn townships; thence northeasterly along said dividing line and the center line of Thorn road between Oakland and Brooklyn townships to its intersection with the northeasterly boundary line of the city of Oakland; thence in a general southeasterly direction, following said boundary line of the city of Oakland to a point where the same would be intersected by the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio, also known as the Brothers line; thence southwesterly along said rancho and Brothers line to the center line of Sixty-ninth avenue; thence continuing in a southwesterly and southerly direction along the center line of Sixty-ninth avenue to the center line of Foothill boulevard; thence westerly along the center line of Foothill boulevard to the center line of Sixty-eighth avenue; thence southwesterly along the center line of Sixty-eighth avenue to the center line of Flora street; thence southeasterly along the center line of Flora street to the center line of Sixty-eighth avenue; thence southwesterly along the center line of Sixty-eighth avenue to the center line of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to the center line of Thirteenth avenue, the point of beginning, shall constitute the Thirty-sixth assembly district.

37. All that portion of Alameda county described as follows, to wit: Beginning at a point where the center line of Broadway is intersected by the center line of Twentieth street, in the city of Oakland; thence southeasterly along the center line of Twentieth street and the direct extension southeasterly thereof to the center of the west arm of Lake Merritt; thence southeasterly along the center of the west arm of Lake Merritt to its junction with the center of the east arm of Lake Merritt on the line dividing Oakland and Brooklyn townships; thence northeasterly along the said dividing line and passing through the east arm of Lake Merritt to a point in a direct production northwesterly of the center line of Brooklyn avenue; thence southeasterly along said production and along said center line of Brooklyn avenue to its intersection with the direct production northerly of the center line of Newton avenue; thence southeasterly along said production and along the center line of Newton avenue to the center line of Park boulevard, formerly known as Fourth avenue; thence southwesterly along the center line of Park boulevard to the center line of East Twentieth street; thence southeasterly along the center line of East Twentieth street to the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to the intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to its intersection with the direct production southeasterly of the southerly boundary of the city of Piedmont; thence westerly along said production to the southeast corner of the boundary line of the city of Piedmont; thence following the southeasterly, northeasterly and northerly boundary lines of the city of Piedmont to its intersection with the northerly boundary line of the city of Oakland as it existed prior to December 8, 1909; thence in a general northwesterly direction along said northerly boundary line to the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Broadway; thence southwesterly along the center line of Broadway to its intersection with the center line of College avenue; thence northerly along the center line of College avenue to its intersection with the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Claremont avenue; thence southwesterly along the center line of Claremont avenue to the center line of Fifty-sixth street; thence northwesterly along the center line of Fifty-sixth street to the center line of Telegraph avenue; thence southerly along the center line of Telegraph avenue to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street to the center line of Broadway and the point of beginning, shall constitute the thirty-seventh assembly district.

38. All of that portion of the county of Alameda, described as follows, to wit: Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-first street in the city of Oakland; thence easterly along the center line of Twenty-first street to the center line of Market street; thence southerly

along the center line of Market street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street and its direct extension southeasterly to the center of the west arm of Lake Merritt; thence southeasterly along said line to the center of the east arm of Lake Merritt and the line dividing Oakland and Brooklyn townships; thence southwesterly along the line dividing Oakland and Brooklyn townships to its intersection with the line dividing Oakland and Alameda townships; thence westerly along said line dividing Oakland and Alameda townships to its intersection with the direct extension southerly of the center line of Adeline street; thence northerly along the direct extension of the center line of Adeline street and the center line of Adeline street to its intersection with the center line of Twenty-first street and the point of beginning, shall constitute the thirty-eighth assembly district.

39. All that portion of the county of Alameda described as follows, to wit: Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-first street, in the city of Oakland; thence easterly along the center line of Twenty-first street to the center line of Market street; thence southerly along the center line of Market street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street to the center line of Telegraph avenue; thence northerly along the center line of Telegraph avenue to the center line of Fifty-fifth street; thence southwesterly along the center line of Fifty-fifth street to the center line of Adeline street; thence northeasterly along the center line of Adeline street to the center line of Fifty-fifth street; thence southwesterly along the center line of Fifty-fifth street to the center line of San Pablo avenue; thence northerly along the center line of San Pablo avenue; thence westerly along the center line of Fifty-fifth street to its intersection with the easterly boundary line of the town of Emeryville; thence northwesterly and following the eastern boundary line of the town of Emeryville to the southerly boundary line of the city of Berkeley; thence westerly along the southerly boundary line of the city of Berkeley and the direct extension of the same, to its intersection with the westerly boundary line of Alameda county; thence southerly along the westerly boundary line of Alameda county to its intersection with the line dividing Oakland and Alameda townships; thence easterly along said line dividing Oakland and Alameda townships to a point where the direct extension of the center line of Adeline street would intersect the same; thence northerly along said direct extension and the center line of Adeline street to the center line of Twenty-first street and the point of beginning, shall constitute the thirty-ninth assembly district.

40. All that portion of Alameda county described as follows, to wit: Beginning at a point where the east boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence northwesterly and southeasterly along the northern and western boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Dwight way; thence easterly along said extension and along the center line of Dwight way and its direct extension easterly, to the eastern boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda, and the point of beginning, shall constitute the fortieth assembly district.

41. All that portion of Alameda county described as follows, to wit: Beginning at a point where the easterly boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence in a general southeasterly direction along the northeasterly boundary line of Alameda county to its intersection with the line dividing Oakland and Brooklyn townships; thence southwesterly along the center line of Thorn road and the line dividing Oakland and Brooklyn townships to its intersection with the northeasterly boundary line of the city of Piedmont; thence northwesterly and southwesterly along the northerly boundary line of the city of Piedmont to the northern boundary of the city of Oakland as it existed prior to December 8, 1909; thence northwesterly along said northern boundary line to the center line of Clifton street, thence northwesterly along the center line of Clifton street to the center line of Broadway; thence southwesterly along the center line of Broadway to its intersection with the center line of College avenue, thence northerly along the center line of College avenue to its intersection with the center line of Clifton street; thence northwesterly along the center line of Clifton street to its intersection with the center line of Claremont avenue; thence southwesterly along the center line of Claremont avenue to its intersection with the center line of Fifty-sixth street; thence northwesterly along the center line of Fifty-sixth street to its intersection with the center line of Telegraph avenue; thence southerly along the center line of Telegraph avenue to its intersection with the center line of Fifty-fifth street; thence westerly along the center line of Fifty-fifth street to its intersection with the center line of Adeline street; thence northeasterly along the center line of Adeline street to its intersection with the center line of Fifty-fifth street; thence westerly along the center line of Fifty-fifth street to its intersection with the center line of San Pablo avenue; thence northerly along the center line of San Pablo avenue to the intersection with the center line of Fifty-fifth street; thence westerly along the center line



of Fifty-fifth street to the easterly boundary line of the town of Emeryville; thence northerly along the easterly boundary line of the town of Emeryville to the northerly boundary line of the town of Emeryville and the southerly boundary line of the city of Berkeley; thence westerly along said dividing line between Berkeley and Emeryville and its direct extension westerly to the west boundary line of the county of Alameda; thence northwesterly along the western boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Dwight way; thence easterly along said extension and along the center line of Dwight way and its direct extension easterly to the easterly boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda and the point of beginning, shall constitute the forty-first assembly district.

### Amendment adopted.

#### AMENDMENT NUMBER TEN.

On page 14 of the printed bill, commencing with line 24, strike out everything to and including line 19 on page 19, and insert in lieu thereof the following:

51. All that part of the county of Los Angeles within the following described boundaries: Beginning at the northwest corner of the county of Los Angeles; thence easterly along the boundary of said county and following the same in all its various courses to the township line between townships three and four north; thence westerly along township lines to the northeasterly corner of section three, township three north, range thirteen west, San Bernardino meridian; thence southerly along section lines to the northerly boundary of the city of Glendale as the same existed on March 1, 1927; thence easterly along said last mentioned boundary and following the same in all its various courses to the northerly line of section fourteen, township one north, range thirteen west, San Bernardino meridian; thence easterly along section lines to the westerly boundary of the city of Pasadena as the same existed on above mentioned date; thence southerly along said last mentioned boundary and following the same in all its various courses to the easterly boundary of the city of Los Angeles as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city, and following the same in all its various courses to the southwesterly corner of the city of Burbank as the same existed on said date; thence westerly along the boundary of said city of Los Angeles and following the same in all its various courses to the northeasterly line of Tract No. 7354 as shown on map recorded in book eighty-nine, pages seventy-six to eighty-one, of maps, records of Los Angeles county; thence southeasterly along the northeasterly line of said last mentioned tract to the center line of Hillock drive; thence southwesterly along the center line of Hillock drive to the center line of Craig drive; thence southeasterly along the center line of Craig drive to the center line of Hollywood way; thence southwesterly along the center line of Hollywood way to the southerly boundary of the Providencia addition to the city of Los Angeles; thence easterly along said last mentioned boundary and following the same in all its various courses to the southerly boundary of the Rancho Ex Mission de San Fernando; thence westerly along said last mentioned southerly boundary to the northwesterly line of the Rancho San Vicente y Santa Monica; thence southwesterly along said last mentioned northwesterly line to the southeast corner of fractional section eighteen, township one south, range sixteen west, San Bernardino meridian; thence westerly along section lines to the southwest corner of section eighteen, township one south, range seventeen west, San Bernardino meridian; thence westerly along the summit of the Santa Monica mountains to the northwesterly boundary of the county of Los Angeles; thence northeasterly along said last mentioned boundary and following the same in all its various courses to the point of beginning, shall constitute the fifty-first assembly district.

52. All that part of the county of Los Angeles within the following described boundaries: Beginning at the northeast corner of section three, township three north, range thirteen west, San Bernardino meridian; thence easterly along section lines to the northeasterly corner of section five, township three north, range twelve west, San Bernardino meridian; thence southerly along section lines to the southerly line of fractional section five, township one north, range twelve west, San Bernardino meridian; thence westerly along said southerly line to the center line of Lincoln avenue; thence southerly along the center line of Lincoln avenue to the northerly boundary of the city or Pasadena, as the same existed March 1, 1927; thence easterly along said last mentioned boundary and following the same in all its various courses to the northerly line of section thirteen, township one north, range thirteen west, San Bernardino meridian; thence westerly along section lines to the easterly boundary of the city of Glendale as the same existed on above mentioned date; thence northeasterly along said last mentioned boundary and following the same in all its various courses to the southerly prolongation of the westerly line of section twenty-three, township two north, range thirteen west, San Bernardino meridian; thence northerly along said last mentioned prolongation and section lines to the point of beginning, shall constitute the fifty-second assembly district.

53. All that part of Los Angeles county, within the following described boundaries: Beginning at the northeast corner of section five, township three north, range twelve west, San Bernardino meridian; thence easterly along township lines to the northeast corner of section three, township three north, range ten west, San Bernardino meridian; thence southerly along section lines to the center line of the old San Gabriel river; thence southwesterly along the center line of the old San Gabriel river to the southeasterly boundary of the city of Montebello, as the same existed on March 1, 1927; thence northeasterly along the boundary of said city, and following the same in all its various courses to the southerly boundary of the city of Monterey Park, as the same existed on said date; thence westerly along the boundary of said last mentioned city, and following the same in all its various courses to the southerly boundary of the city of Alhambra, as the same existed on the aforesaid date; thence westerly along the boundary of said last mentioned city, and following the same in all its various courses, to the southerly boundary of the city of South Pasadena, as the same existed on the aforesaid date; thence westerly along the boundary of said last mentioned city, and following the same in all its various courses to the southerly boundary of the city of Pasadena, as the same existed on aforesaid date; thence easterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Lincoln avenue; thence northerly along the center line of Lincoln avenue to the southerly line of fractional section five, township one north, range twelve west, San Bernardino meridian; thence easterly along said last mentioned southerly line to the southeasterly corner of said last mentioned fractional section; thence northerly along section lines to the point of beginning, shall constitute the fifty-third assembly district.

54. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of the Pacific Electric railway company's right of way (in Glendale boulevard) with the southwesterly boundary of the city of Glendale as the same existed March 1, 1927; thence southeasterly along said last mentioned boundary and following the same in all its various courses to the westerly boundary of the city of Pasadena as the same existed on above mentioned date; thence southerly along said last mentioned boundary and following the same in all its various courses to the northwest corner of the city of South Pasadena as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the southwest corner of said city of South Pasadena; being a point on the east and west quarter section line of section seven, township one south, range twelve west, San Bernardino meridian; thence westerly along said quarter section line to the range line between ranges twelve and thirteen west; thence southerly along range line to the easterly prolongation of the northerly patent boundary of the city of Los Angeles; thence westerly along said easterly prolongation and northerly boundary to the center line of Union Pacific railroad company's right of way (in Midland street); thence southwesterly along the center line of said right of way to the center line of avenue Forty-four; thence northwesterly along the center line of avenue Forty-four to the center line of Atchison, Topeka and Santa Fe railway company's right of way; thence southwesterly along the center line of said last mentioned right of way to the southeasterly prolongation of the center line of avenue Thirty-seven; thence northwesterly along said last mentioned prolongation and center line of avenue Thirty-seven to the center line of Dayton avenue; thence southwesterly along the center line of Dayton avenue to the center line of Amabel street; thence northwesterly along the center line of Amabel street to the center line of Isabel street; thence southwesterly and northwesterly along the center line of Isabel street to the center line of Granada street; thence southwesterly along the center line of Granada street to the center line of Cypress avenue; thence southwesterly along the center line of Cypress avenue to the center line of Granada street (from the southwest); thence southwesterly along the center line of Granada street to the center line of the Southern Pacific railroad company's right of way (valley line); thence northwesterly along the center line of said right of way to the north patent boundary of the city of Los Angeles; thence westerly along said last mentioned boundary to the center line of Glendale boulevard; thence northerly and northwesterly along the center line of Glendale boulevard to the center line of Riverside drive; thence southeasterly along the center line of Riverside drive to the center line of Pacific Electric railway company's right of way (in Glendale boulevard); thence northerly and northeasterly along the center line of said last mentioned right of way to the point of beginning, shall constitute the fifty-fourth assembly district.

55. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the northwesterly boundary of the city of Los Angeles as the same existed March 1, 1927 with the northeasterly line of tract number seven thousand three hundred and fifty-four as shown on map recorded in book eighty-nine, pages seventy-six to eighty-one of maps, records of Los Angeles county; thence southwesterly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of the Pacific Electric railway company's right of way (in Glendale boulevard); thence southwesterly and southerly along the center line of said right of way to the center line of Riverside drive; thence northwesterly along the center line of Riverside drive to the center line of Glendale



boulevard; thence southeasterly and southerly along the center line of Glendale boulevard to the north patent boundary of the city of Los Angeles; thence easterly along said last mentioned boundary to the center line of Echo Park avenue; thence south westerly along the center line of Echo Park avenue to the center line of Sunset boulevard; thence northwesterly along the center line of Sunset boulevard to the center line of Santa Monica boulevard; thence westerly along the center line of Santa Monica boulevard to the center line of Vermont avenue; thence southerly along the center line of Vermont avenue to the center line of Melrose avenue; thence westerly along the center line of Melrose avenue to the center line of Wilcox avenue; thence northerly along the center line of Wilcox avenue to the center line of Santa Monica boulevard; thence westerly along the center line of Santa Monica boulevard to the easterly boundary of the LaBrea addition to the city of Los Angeles; thence southerly along said last mentioned boundary to the center line of Romaine street; thence westerly along the center line of Romaine street to the westerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence northerly and westerly along said last mentioned boundary to the center line of Poinsettia place; thence northerly along the center line of Poinsettia place to the center line of Sunset boulevard; thence westerly along the center line of Sunset boulevard to the center line of Fuller avenue; thence northerly along the center line of Fuller avenue to the southerly boundary of the Laurel Canyon addition to the city of Los Angeles; thence easterly along the boundary of said last mentioned addition and following the same in all its various courses to the southerly line of the Rancho Ex Mission de San Fernando; thence easterly along said last mentioned southerly line to the southwesterly boundary of the Provedencia addition to the city of Los Angeles; thence northwesterly along the boundary of said last mentioned addition and following the same in all its various courses to the center line of Hollywood way; thence northeasterly along the center line of Hollywood way to the center line of Craig drive; thence northwesterly along the center line of Craig drive to the center line of Hillock drive; thence northeasterly along the center line of Hillock drive to the northeasterly line of tract number seven thousand three hundred and fifty-four as shown on map recorded in book eighty-nine, pages seventy-six to eighty-one of maps, records of Los Angeles county; thence northwesterly along the northeasterly line of said last mentioned tract to the point of beginning, shall constitute the fifty-fifth assembly district.

56. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the summit of the Santa Monica mountains with the northwesterly boundary of the county of Los Angeles as the same existed March 1, 1927; thence easterly along the summit of said Santa Monica mountains to the southwest corner of section eighteen, township one south, range seventeen west, San Bernardino meridian; thence easterly along section lines to the northwesterly line of the Rancho San Vicente y Santa Monica; thence northeasterly along said last mentioned rancho line to the southerly boundary of the Rancho Ex Mission de San Fernando; thence easterly along said last mentioned southerly boundary to the easterly boundary of the Laurel canyon addition to the city of Los Angeles; thence southerly along said last mentioned boundary and following the same in all its various courses to the center line of Fuller avenue; thence southerly along the center line of Fuller avenue to the center line of Sunset boulevard; thence easterly along the center line of Sunset boulevard to the center line of Poinsettia place; thence southerly along the center line of Poinsettia place to the northerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence easterly and southerly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly corner of the city of Beverly Hills; thence westerly along the westerly prolongation of the most southerly boundary of said last mentioned city to the center line of Heath avenue; thence southeasterly along the center line of Heath avenue to the center line of Pico boulevard; thence southwesterly along the center line of Pico boulevard to the northeasterly boundary of the city of Santa Monica as the same existed on above mentioned date; thence southeasterly along said last mentioned boundary and following the same in all its various courses to the most southerly corner of said last mentioned city, being a point in the boundary of the county of Los Angeles; thence northwesterly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the fifty-sixth assembly district.

57. All that part of the county of Los Angeles within the following described boundaries: Beginning at the most southerly corner of the city of Santa Monica as the same existed March 1, 1927, being a point in the southwesterly boundary of the county of Los Angeles; thence northeasterly along the boundary of said city of Santa Monica and following the same in all its various courses to the center line of Pico boulevard; thence northeasterly along the center line of Pico boulevard to the center line of Heath avenue; thence northwesterly along the center of Heath avenue to the westerly prolongation of the most southerly boundary of the city of Beverly Hills as the same existed on above mentioned date; thence easterly along said last mentioned prolongation to the southwesterly boundary of said last mentioned city; being also a point in the boundary of said city of Los Angeles; thence easterly along said last mentioned boundary and following the same in all its various courses to the center line of Romaine street; thence easterly along the center line of Romaine



street to the easterly boundary of the La Brea addition to the city of Los Angeles; thence northerly along said last mentioned boundary to the center line of Santa Monica boulevard; thence easterly along the center line of Santa Monica boulevard to the center line of Wilcox avenue; thence southerly along the center line of Wilcox avenue to the center line of Melrose avenue; thence easterly along the center line of Melrose avenue to the northerly prolongation of the center line of Wilcox avenue (lying southerly of Melrose avenue); thence southerly along said northerly prolongation and center line of Wilcox avenue and southerly prolongation thereof to the center line of Third street; thence easterly along the center line of Third street to the center line of Rimpau boulevard; thence southerly along the center line of Rimpau boulevard to the easterly boundary of the Palms addition to the city of Los Angeles; thence southerly along said last mentioned boundary and following the same in all its various courses to the center line of Buckingham road; thence southwesterly along the center line of Buckingham road to the center line of Washington street; thence westerly along the center line of Washington street to the center line of Buckingham road from the southwest; thence southwesterly along the center line of Buckingham road to the center line of Adams street; thence easterly along the center line of Adams street to the center line of Angeles Mesa drive; thence southerly along the center line of Angeles Mesa drive to the southerly boundary of the aforesaid Palms addition to the city of Los Angeles; thence westerly along said last mentioned boundary to the easterly boundary of the city of Culver City, as the same existed on above mentioned date; thence southerly along said last mentioned boundary to the first angle point therein, being a point in the westerly boundary of the Rancho Cienega o'Paso de la Tijera; thence southerly and southeasterly along the boundary of said last mentioned rancho to the north and south quarter section line in section seventeen, township two south, range fourteen west, San Bernardino meridian; thence southerly along said last mentioned quarter section line to the southerly line of said last mentioned section; thence westerly along section lines to the southeasterly line of the Rancho La Ballona; thence southwesterly along said last mentioned Rancho line to the northerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of the Venice consolidation to the city of Los Angeles (at Mesmer avenue); thence southerly along the boundary of said last mentioned consolidation and following the same in all its various courses to the southwesterly boundary of the county of Los Angeles; thence northwesterly along said last mentioned southwesterly boundary to the point of beginning, shall constitute the fifty-seventh assembly district.

58. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of Melrose avenue and the northerly prolongation of the center line of Wilcox avenue, (lying southerly of Melrose avenue); thence easterly along the center line of Melrose avenue to the center line of Vermont avenue; thence southerly along the center line of Vermont avenue to the center line of Seventh street; thence easterly along the center line of Seventh street to the center line of Westmoreland avenue; thence southerly along the center line of Westmoreland avenue to the center line of Tenth street; thence westerly along the center line of Tenth street to the center line of Westmoreland avenue from the south; thence southerly along the center line of Westmoreland avenue to the center line of Pico boulevard; thence easterly along the center line of Pico boulevard to the center line of Orchard avenue; thence southerly along the center line of Orchard avenue to the center line of Washington street; thence westerly along the center line of Washington street to the center line of Buckingham road, from the northeast; thence northeasterly along the center line of Buckingham road to the northeasterly boundary of the Palms addition to the city of Los Angeles; thence northwesterly along the boundary of said last mentioned addition and following the same in all its various courses to the center line of Rimpau boulevard; thence northeasterly along the center line of Rimpau boulevard to the center line of Third street; thence westerly along the center line of Third street to the southerly prolongation of the center line of Wilcox avenue (lying southerly of Melrose avenue); thence northerly along said southerly prolongation and center line of Wilcox avenue and northerly prolongation thereof to the point of beginning, shall constitute the fifty-eighth assembly district.

59. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of Santa Monica boulevard with the center line of Vermont avenue; thence easterly along the center line of Santa Monica boulevard to the center line of Sunset boulevard; thence southeasterly along the center line of Sunset boulevard to the center line of Glendale boulevard; thence southerly along the center line of Glendale boulevard to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of East Edgeware road; thence southwesterly along the center line of East Edgeware road to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Seventh street; thence north-

westerly and westerly along the center line of Seventh street to the center line of Vermont avenue; thence northerly along the center line of Vermont avenue to the point of beginning, shall constitute the fifty-ninth assembly district.

60. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of Echo Park avenue with the north patent boundary of the city of Los Angeles; thence easterly along said boundary to the center line of the Southern Pacific Railroad Company's right of way (Valley Line); thence southeasterly along the center line of said right of way to the southwesterly prolongation of the center line of Granada street; thence northeasterly along the center line of Granada street to the center line of Cypress avenue; thence northwesterly along the center line of Cypress avenue to the center line of Granada street, from the northeast; thence northeasterly along the center line of Granada street to the center line of Isabel street; thence southeasterly along the center line of Isabel street to the center line of Pepper avenue; thence westerly along the center line of Pepper avenue to the center line of Cypress avenue; thence southeasterly along the center line of Cypress avenue to the center line of Dayton avenue; thence northeasterly along the center line of Dayton avenue to the center line of Loreto street; thence southeasterly along the center line of Loreto street to the center line of Arroyo Seco avenue; thence southwesterly along the center line of Arroyo Seco avenue to the center line of Union Pacific Railroad Company's right of way (Glendale branch); thence southeasterly along the center line of said right of way to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (main line); thence northeasterly along the center line of said last mentioned right of way to the center line of avenue Thirty-four; thence easterly along the center line of avenue Thirty-four to the center line of Pasadena avenue; thence southerly along the center line of Pasadena avenue to the center line of avenue Thirty-three, from the east; thence easterly along the center line of avenue Thirty-three to the center line of Griffin avenue; thence southerly along the center line of Griffin avenue to the center line of avenue Twenty-eight; thence westerly along the center line of avenue Twenty-eight to the center line of Pasadena avenue; thence southwesterly along the center line of Pasadena avenue to the center line of Daly street; thence southerly along the center line of Daly street to the center line of North Broadway; thence easterly along the center line of North Broadway to the center line of Mission road; thence southwesterly along the center line of Mission road to the center line of Griffin avenue, from the southeast; thence southeasterly along the center line of Griffin avenue to the center line of State street; thence southwesterly along the center line of State street to the center line of Marengo street; thence southeasterly along the center line of Marengo street to the center line of State street, from the southwest; thence southwesterly along the center line of State street to the center line of First street; thence southeasterly along the center line of First street to the center line of Soto street; thence southwesterly and southerly along the center line of Soto street to the southerly boundary of the city of Los Angeles as the same existed on March 1, 1927; thence westerly along the boundary of said last mentioned city and following the same in all its courses to the center line of Alameda street; thence northerly along the center line of Alameda street to the center line of Ninth street; thence northwesterly along the center line of Ninth street to the center line of Hill street; thence northeasterly along the center line of Hill street to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of East Edgeware road; thence northeasterly along the center line of East Edgeware road to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of Glendale boulevard; thence northerly along the center line of Glendale boulevard to the center line of Sunset boulevard; thence southeasterly along the center line of Sunset boulevard to the center line of Echo Park avenue; thence northeasterly along the center line of Echo Park avenue to the point of beginning, shall constitute the sixtieth assembly district.

61. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of Isabel street with the center line of Pepper avenue; thence southeasterly along the center line of Isabel street to the center line of Amabel street; thence southeasterly along the center line of Amabel street to the center line of Dayton avenue; thence northeasterly along the center line of Dayton avenue to the center line of avenue Thirty-seven; thence southeasterly along the center line of avenue Thirty-seven to the center line of the Atchison, Topeka and Santa Fe railway company's right of way (in Marmion way); thence northeasterly along the center line of said last mentioned right of way to the center line of avenue Forty-four; thence southeasterly along the center line of avenue Forty-four to the center line of the Union Pacific Railroad company's right of way (in Midland street); thence northeasterly along the center line of said last mentioned right of way to the north patent boundary of the city of Los Angeles; thence easterly along said northerly boundary and easterly prolongation thereof to the range line between ranges twelve and thirteen west; thence northerly along range line to the east and west quarter section line of section seven, township one south, range twelve west, San Bernardino Meridian; thence easterly along said quarter section line to the southwest corner

of the city of South Pasadena as the same existed March 1, 1927; thence easterly along the southerly boundary of said last mentioned city to the westerly boundary of the city of Alhambra as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the westerly boundary of the city of Monterey Park as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the north-westerly corner of the city of Montebello, as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe railway company's right of way (San Diego line); thence north-westerly along the center line of said right of way to the easterly boundary of the city of Vernon as the same existed on the above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Soto street; thence northerly and northeasterly along the center line of Soto street to the center line of First street; thence northwesterly along the center line of First street to the center line of State street; thence northeasterly along the center line of State street to the center line of Marengo street; thence northwesterly along the center line of Marengo street to the center line of State street; from the northeast; thence northeasterly along the center line of State street to the center line of Griffin avenue; thence northwesterly along the center line of Griffin avenue to the center line of Mission road; thence northeasterly along the center line of Mission road to the center line of North Broadway; thence westerly along the center line of North Broadway to the center line of Daly street; thence northerly along the center line of Daly street to the center line of Pasadena avenue; thence northeasterly along the center line of Pasadena avenue to the center line of avenue Twenty-eight; thence easterly along the center line of avenue Twenty-eight to the center line of Griffin avenue; thence northerly along the center line of Griffin avenue to the center line of avenue Thirty-three; thence westerly along the center line of avenue Thirty-three to the center line of Pasadena avenue; thence northerly along the center line of Pasadena avenue to the center line of avenue Thirty-four; thence northwesterly along the center line of avenue Thirty-four to the center line of the Atchison, Topeka and Santa Fe railway company's right of way (main line); thence southwesterly along the center line of said last mentioned right of way to the center line of the Union Pacific railroad company's right of way (Glendale branch); thence northwesterly along the center line of said last mentioned right of way to the center line of Arroyo Seco avenue; thence northeasterly along the center line of Arroyo Seco avenue to the center line of Loreto street; thence northwesterly along the center line of Loreto street to the center line of Dayton avenue; thence southwesterly along the center line of Dayton avenue to the center line of Cypress avenue; thence northwesterly along the center line of Cypress avenue to the center line of Pepper avenue; thence northeasterly along the center line of Pepper avenue to the point of beginning, shall constitute the sixty-first assembly district.

62. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center lines of Ninth street and Maple avenue; thence southeasterly along the center line of Ninth street to the center line of Alameda street; thence southerly along the center line of Alameda street to the southerly boundary of the city of Los Angeles as the same existed March 1, 1927; thence westerly along said boundary and following the same in all its various courses to the center line of Slauson avenue; thence westerly along the center line of Slauson avenue to the center line of Main street; thence northerly along the center line of Main street to the center line of Santa Barbara avenue; thence easterly along the center line of Santa Barbara avenue to the center line of Woodlawn avenue; thence northerly along the center line of Woodlawn avenue to the center line of Maple avenue; thence northeasterly along the center line of Maple avenue to the point of beginning, shall constitute the sixty-second assembly district.

63. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center lines of Seventh street and Westmoreland avenue; thence easterly and southeasterly along the center line of Seventh street to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Ninth street; thence southeasterly along the center line of Ninth street to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Jefferson street; thence northwesterly along the center line of Jefferson street to the center line of Exposition boulevard; thence westerly along the center line of Exposition boulevard to the center line of Figueroa street; thence northeasterly along the center line of Figueroa street to the center line of Jefferson street; thence northwesterly along the center line of Jefferson street to the center line of Hoover street; thence northeasterly and northerly along the center line of Hoover street to the center line of Washington street; thence westerly along the center line of Washington street to the center line of Orchard avenue; thence northerly



along the center line of Orchard avenue to the center line of Pico street; thence westerly along the center line of Pico street to the center line of Westmoreland avenue; thence northerly along the center line of Westmoreland avenue to the center line of Tenth street; thence easterly along the center line of Tenth street to the center line of Westmoreland avenue from the north; thence northerly along the center line of Westmoreland avenue to the point of beginning, shall constitute the sixty-third assembly district.

64. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center lines of Washington street and Buckingham road, from the southwest; thence easterly along the center line of Washington street to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Jefferson street; thence south-easterly along the center line of Jefferson street to the center line of Figueroa street; thence southwesterly and southerly along the center line of Figueroa street to the center line of Santa Barbara avenue; thence westerly along the center line of Santa Barbara avenue and the westerly prolongation thereof to the westerly boundary of the city of Los Angeles as the same existed March 1, 1927; thence northerly along said boundary to the southerly boundary of the Palms addition to the city of Los Angeles; thence easterly along said last mentioned boundary to the center line of Angeles Mesa drive; thence northerly along the center line of Angeles Mesa drive to the center line of Adams street; thence westerly along the center line of Adams street to the center line of Buckingham road; thence northeasterly along the center line of Buckingham road to the point of beginning, shall constitute the sixty-fourth assembly district.

65. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the southerly boundary of the city of Los Angeles as the same existed March 1, 1927, with the westerly line of the Rancho Cienega o'Paso de la Tijera; thence easterly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Forty-eighth street; thence easterly along the center line of Forty-eighth street to the westerly boundary of the Shoestring addition to the city of Los Angeles; thence southerly along said last mentioned westerly boundary to the northeasterly corner of the city of Inglewood as the same existed on above mentioned date; thence southerly along the easterly boundary of said last mentioned city to the northwesterly corner of the Wagner addition to the city of Los Angeles; thence southerly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Ballona avenue; thence westerly along the center line of Ballona avenue to the easterly boundary of Hawthorne city as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie avenue; thence southerly along the center line of Prairie avenue to the township line between townships 3 and 4 south; thence westerly along said township line to the northerly prolongation of the easterly line of tract number three thousand four hundred fifty-eight as shown on map recorded in book thirty-seven, page ninety-five of maps, records of Los Angeles county; thence southerly along said prolongation and the easterly line of said tract and the southerly prolongation thereof to the center line of State street; thence westerly along the center line of State street to the northerly prolongation of the easterly line of the Meadow park tract as shown on map recorded in book fifteen, page sixty of miscellaneous records of Los Angeles county; thence southerly along said prolongation and easterly line and southerly prolongation thereof to the northeasterly line of lot H of the Rancho Los Palos Verdes; thence northwesterly and westerly along the boundary of said last mentioned lot to the westerly boundary of the county of Los Angeles; thence northerly along said last mentioned boundary and following the same in all its various courses to the southerly boundary of the Venice consolidation to the city of Los Angeles as the same existed on above mentioned date; thence easterly along the boundary of said city of Los Angeles and following the same in all its various courses to the southeasterly line of the Rancho La Ballona; thence northeasterly along said line to the southerly line of fractional section eighteen, township two south, range fourteen west, San Bernardino meridian; thence easterly along section lines to the north and south quarter section line in fractional section seventeen, said township and range; thence northerly along said last mentioned quarter section line to the southwesterly line of the Rancho Cienega o'Paso de la Tijera; thence northeasterly and northerly along the boundary of said last mentioned rancho to the point of beginning, shall constitute the sixty-fifth assembly district.

66. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the westerly prolongation of the center line of Santa Barbara avenue with the westerly boundary of the city of Los Angeles as the same existed March 1, 1927; thence easterly along said westerly prolongation and center line of Santa Barbara avenue to the center line of Figueroa street; thence northerly and northeasterly along the center line of Figueroa street to the center

line of Exposition boulevard; thence easterly along the center line of Exposition boulevard to the center line of Jefferson street; thence southeasterly along the center line of Jefferson street to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Woodlawn avenue; thence southerly along the center line of Woodlawn avenue to the center line of Santa Barbara avenue; thence westerly along the center line of Santa Barbara avenue to the center line of Main street; thence southerly along the center line of Main street to the center line of Slauson avenue; thence westerly along the center line of Slauson avenue to the westerly boundary of the Shoestring addition to the city of Los Angeles; thence northerly along said boundary to the center line of Forty-eighth street; thence westerly along the center line of Forty-eighth street to the westerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence northerly along said last mentioned boundary and following the same in all its various courses to the point of beginning, shall constitute the sixty-sixth assembly district.

67. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of Slauson avenue with the westerly boundary of the Shoestring addition to the city of Los Angeles; thence easterly along the center line of Slauson avenue to the easterly boundary of the city of Los Angeles as the same existed on March 1, 1927; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of the city of Vernon, as the same existed on March 1, 1927; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the northwest corner of the city of Huntington Park, as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Florence avenue; thence westerly along the center line of Florence avenue to the easterly boundary of the city of Los Angeles as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Manchester avenue; thence westerly along the center line of Manchester avenue to the westerly boundary of the aforesaid Shoestring addition to the city of Los Angeles; thence northerly along said last mentioned westerly boundary to the point of beginning, shall constitute the sixty-seventh assembly district.

68. All that part of the county of Los Angeles within the following described boundaries: Beginning at the northwesterly corner of the city of Vernon, as the same existed March 1, 1927; thence easterly along the boundary of said city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe railway company's right of way (San Diego line); thence southeasterly along the center line of said right of way to the northwesterly boundary of the city of Montebello as the same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Old San Gabriel river; thence easterly along the center line of the Old San Gabriel river to the center line of the New San Gabriel river; thence southwesterly along the center line of the New San Gabriel river to the northerly prolongation of the center line of Newton and Washburn road; thence southerly along said last mentioned prolongation and center line to the center line of Zinn road; thence westerly along the center line of Zinn road to the center line of Woodruff avenue; thence southerly along the center line of Woodruff avenue, to the southeasterly line of the Rancho Santa Gertrudes; thence southwesterly and northwesterly along said rancho line to the center line of the Old San Gabriel river; thence northeasterly along the center line of the Old San Gabriel river to the easterly prolongation of the northerly line of Downey and Hellman tract as shown on map recorded in book 3, page 31 of miscellaneous records of Los Angeles county; thence westerly along said prolongation and northerly line and along the center line of Tweedy and Abbott road to the center line of the Southern Pacific railroad company's right of way in Alameda street; thence northerly along the center line of said right of way to the easterly prolongation of the northerly line of the Watts Park tract as shown on map recorded in book 8, page 70 of maps, records of Los Angeles county; thence westerly along said last mentioned prolongation and northerly line to the easterly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Florence avenue; thence easterly along the center line of Florence avenue to the westerly boundary of the city of Huntington Park, as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the city of Vernon, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the sixty-eighth assembly district.

69. All that part of the county of Los Angeles within the following described boundaries: Beginning at the northwesterly corner of section two, township three north, range ten west, San Bernardino meridian; thence easterly along township

lines to the west line of section six, township three north, range seven west, San Bernardino meridian; thence northerly and easterly along the westerly and northerly lines of said last mentioned section to the easterly boundary of the county of Los Angeles; thence southerly along the boundary of the county of Los Angeles and following the same in all its various courses to the southeast corner of section thirteen, township three south, range eleven west; thence west along section lines to the southwest corner of section fourteen, said last mentioned township and range; thence north along section line to the northwest corner of said section fourteen; thence west on section line to the southwest corner of section nine, said last mentioned township and range; thence north along section line to the northwest corner of said last mentioned section; thence west along section lines to the center line of the Atchison, Topeka and Santa Fe railway company's right of way (main line to San Diego); thence northerly along said last mentioned center line to the center line of Anaheim Telegraph road; thence westerly and northwesterly along said last mentioned center line to the center line of the New San Gabriel river; thence in a general northeasterly direction along the center line of said New San Gabriel river to the west line of section twenty-three, township one north, range ten west; thence northerly along section lines to the point of beginning, shall constitute the sixty-ninth assembly district.

70. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of the Old San Gabriel river with the southwesterly line of the Rancho Santa Gertrudes; thence southeasterly and northeasterly along said Rancho line to the center line of Woodruff avenue; thence northerly along the center line of Woodruff avenue to the center line of Zinn road; thence easterly along the center line of Zinn road to the center line of Newton and Washburn road; thence northerly along said last mentioned center line and northerly prolongation thereof to the center line of New San Gabriel river; thence northeasterly along the center line of said river and following the same in all its various courses to the center line of Anaheim Telegraph road; thence southeasterly and easterly along the center line of Anaheim Telegraph road to the center line of the Atchison, Topeka and Santa Fe railway company's right of way (main line to San Diego); thence southerly along the center line of said right of way to the northerly line of section eight, township three south, range eleven west, San Bernardino meridian; thence easterly along the northerly line of said last mentioned section to the northwesterly corner of section nine, said township and range; thence southerly along the westerly line of said last mentioned section to the southwesterly corner of said last mentioned section; thence easterly along section lines to the northwesterly corner of section fourteen said township and range; thence southerly along the westerly line of said last mentioned section to the southwesterly corner thereof; thence easterly along section lines to the easterly boundary of the county of Los Angeles; thence southerly along said last mentioned boundary and following the same in all its various courses to the southeasterly boundary of the city of Long Beach, as the same existed on March 1, 1927; thence southwesterly along said boundary and following the same in all its various courses to the southerly prolongation of the center line of Sixteenth place; thence northerly along said prolongation and center line of Sixteenth place to the center line of Ocean boulevard; thence northwesterly along the center line of Ocean boulevard to the center line of Cherry avenue; thence northerly along the center line of Cherry avenue to the center line of Fourth street; thence westerly along the center line of Fourth street to the center line of Alamitos avenue; thence northeasterly along the center line of Alamitos avenue to the center line of California avenue; thence northerly along the center line of California avenue to a point one hundred sixty feet northerly of the north line of Anaheim street; thence easterly parallel with the northerly line of Anaheim street to the easterly boundary of that certain territory annexed to the city of Long Beach, January 10, 1910; thence northerly along said boundary and following the same in all its various courses to the center line of Lime avenue; thence northerly along the center line of Lime avenue to the center line of Wardlow road; thence westerly along the center line of Wardlow road to the center line of American avenue; thence northerly along the center line of American avenue to the center line of Long Beach boulevard; thence northwesterly along the center line of Long Beach boulevard to the northwesterly boundary of the city of Long Beach, as the same existed on above mentioned date; thence northeasterly along said last mentioned boundary and following the same in all its various courses to the center line of the Old San Gabriel river; thence northeasterly along the center line of the Old San Gabriel river and following the same in all its various courses to the point of beginning, shall constitute the seventieth assembly district.

71. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the easterly boundary of the city of Los Angeles, as the same existed on March 1, 1927, with the northerly line of the Watts Park tract, as shown on map recorded in book eight, page seventy of maps, records of Los Angeles county; thence easterly along said northerly line of the Watts Park tract and easterly prolongation thereof to the center line of the Southern Pacific railroad company's right of way in Alameda street; thence southerly



along the center line of said right of way to the center line of Tweedy and Abbott road; thence easterly along the center line of Tweedy and Abbott road and along the northerly line of the Downey and Hellman tract, as shown on map recorded in book three, page thirty-one of miscellaneous records of Los Angeles county and the easterly prolongation thereof to the center line of the Old San Gabriel river; thence southerly along the center line of the Old San Gabriel river to the westerly boundary of the city of Long Beach, as the same existed March 1, 1927, at or near Fifty-sixth street; thence southwesterly along said boundary and following the same in all its various courses to the center line of Long Beach boulevard; thence south-easterly along the center line of Long Beach boulevard to the center line of American avenue; thence southerly along the center line of American avenue to the center line of Wardlow road; thence easterly along the center line of Wardlow road to the center line of Lime avenue; thence southerly along the center line of Lime avenue to the southerly boundary of that certain territory annexed to the city of Long Beach January 10, 1910 (near Wardlow road); thence westerly along said last mentioned boundary and following the same in all its various courses to a point 100 feet northerly of the north line of Anaheim street; thence westerly parallel with the center line of Anaheim street to the center line of California avenue; thence southerly along the center line of California avenue to the center line of Alamitos avenue; thence southwesterly along the center line of Alamitos avenue to the center line of Fourth street; thence easterly along the center line of Fourth street to the center line of Cherry avenue; thence southerly along the center line of Cherry avenue to the center line of Ocean boulevard; thence easterly along the center line of Ocean boulevard to the center line of Sixteenth place; thence southerly along the center of Sixteenth place and southerly prolongation thereof to the southerly boundary of the city of Long Beach, as the same existed on above mentioned date; thence westerly along said boundary and following the same in all its various courses to the center line of Wilmington and Los Angeles road; thence northwesterly along the center line of Wilmington and Los Angeles road, the center line of Avalon boulevard, and the center line of Los Angeles and Redondo road to the center line of Rosecrans avenue; thence easterly along the center line of Rosecrans avenue to the center line of Avalon boulevard; thence northerly along the center line of Avalon boulevard to the southerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence easterly along said boundary and following the same in all its various courses to the point of beginning, shall constitute the seventy-first assembly district.

72. All that part of the county of Los Angeles within the following described boundaries: Beginning at the intersection of the center line of Manchester avenue with the easterly boundary of the city of Inglewood, as the same existed March 1, 1927; thence easterly along the center line of Manchester avenue to the easterly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Avalon boulevard; thence southerly along the center line of Avalon boulevard to the center line of Rosecrans avenue; thence westerly along the center line of Rosecrans avenue to the center line of Wilmington and Los Angeles road; thence southeasterly along the center line of Wilmington and Los Angeles road, the center line of Avalon boulevard and the center line of Wilmington and Los Angeles road to the northerly boundary of the city of Long Beach, as the same existed on above mentioned date; thence westerly along said boundary and following the same in all its various courses to the northerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the county of Los Angeles; thence westerly along the boundary of said county and following the same in all its various courses to the westerly prolongation of the northerly line of lot II of the Rancho Los Palos Verdes; thence easterly and south-easterly along the boundary of said last mentioned lot to the southerly prolongation of the easterly line of the Meadow Park tract as shown on map recorded in book fifteen, page sixty of miscellaneous records of Los Angeles county; thence northerly along said southerly prolongation and easterly line and northerly prolongation thereof to the center line of State street; thence easterly along the center line of State street to the southerly prolongation of the easterly line of tract number three thousand four hundred fifty-eight as shown on map recorded in book thirty-seven, page ninety-five of maps, records of Los Angeles county; thence northerly along said southerly prolongation and easterly line and northerly prolongation thereof to the township line between townships three and four south; thence easterly along said township line to the center line of Prairie avenue; thence northerly along the center line of Prairie avenue to the southerly boundary of the city of Hawthorne, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Ballona avenue; thence easterly along the center line of Ballona avenue to the westerly boundary of the city of Los Angeles, as the same existed on the above mentioned date; thence northerly along the boundary of said city of Los Angeles

and following the same in all its various courses to the easterly boundary of the city of Inglewood as the same existed on above mentioned date; thence northerly along the said boundary and following the same in all its various courses to the point of beginning, shall constitute the seventy-second assembly district.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 841—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment, under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 178—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 483—An act to amend section 411 of the Code of Civil Procedure of the State of California, relating to the service of summons.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 484—An act to amend section 563a of the Penal Code, relating to false entries.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 543—An act to amend section 791 of the Political Code, relating to the number of notaries public in counties of the second class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 592—An act to amend section 494 of the Civil Code of the State of California, relating to the sale of property and franchises of railroad corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 198—An act to amend section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 10 of the printed bill, strike out the word "and", and in lieu thereof insert the following: "The food inspection decisions, and".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 12 of the printed bill, after the word "Agriculture" insert the following: "Or such other bureau, department, division or administration of said United States department of agriculture as may from time to time hereafter have and exercise the powers, functions and duties heretofore and now vested in and exercised by said bureau of chemistry, United States department of agriculture."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 200—An act to amend sections 1, 3 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of the same," approved May 16, 1919, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:



## AMENDMENT NUMBER ONE.

In line 1, title of the printed bill, insert after word "eight" the following: "and add a new section to be known as three a".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, insert after the word "ground" the following: "; and not excepting ground barley exceeding nine per cent in fiber and/or four per cent ash, ground oats exceeding fourteen per cent fiber and/or five per cent ash, ground corn exceeding four per cent fiber and/or three per cent ash, milo exceeding five per cent fiber and/or four per cent ash and kaffir exceeding five per cent fiber and/or four per cent ash".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, strike out word "minimum" and in lieu thereof insert the word "maximum".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 16 to 19, inclusive.

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, strike out letter "j" and insert in lieu thereof the letter "i".

Amendment adopted.

## AMENDMENT NUMBER SIX

On page 2, line 24, of printed bill, strike out letter "k" and in lieu thereof insert letter "j".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 24, of printed bill, strike out words "in the case of poultry feeds".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, after line 28, of the printed bill, insert new section to be known as 3a: Any importer, jobber, firm, association, corporation or person who shall manufacture or mix any commercial feeding stuffs, for another, shall, when such commercial feeding stuffs are not to be resold, furnish those for whom said commercial feeding stuffs are manufactured or mixed a numbered invoice which shall have written or printed thereon the date of sale and the name and the number of pounds of each ingredient entering into such commercial feeding stuffs so mixed for another. Each package of such commercial feeding stuffs mixture shall have attached thereto a written or printed tag showing the number and date of said invoice and the name of the mixer or manufacturer. All such invoices shall remain on file for six months, subject to inspection under the provisions of this act. No two invoices issued in one calendar year shall bear the same number.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 52, and line 1, page 3, of the printed bill, strike out words "in poultry feeds".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 815—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the

State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof', approved June 12, 1913, amended 1915; amended 1921; amended 1925, by amending section 1 and adding a new section to be numbered 7½, relating to the conduct of training schools for nurses.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of section 7½, and insert in lieu thereof the following:

SEC. 7½. It shall be unlawful to conduct a training school for nurses which does not comply with the minimum requirements of the state board of health for an accredited school as herein provided; and a training school for nurses within the meaning of this act is hereby defined to be a school for the education and training of nurses attached to or operated in connection with a hospital or hospitals where patients receive medical and surgical treatment; a nurse within the meaning of this act is hereby defined to be one who has had a course of instruction in a training school for nurses as defined in this act.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

That in line 9, page 1, of said printed bill, following the word "delay", there be inserted the word "and".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

That in line 22, page 1, of said printed bill, following the word "any", there be inserted the word "other".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

That lines 18 and 19, page 2, of said printed bill, be stricken out and that the following be inserted in lieu thereof: "corporation or company, must be attached by leaving with the president, or other head of the same, or the secretary, cashier, or other managing agent thereof, a copy of the writ, and a notice stating that the stock or interest of the defendant attached, in pursuance of such writ."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

That in line 28, page 2, of said printed bill, the words "thirty (30)" be stricken out, and that there be inserted in lieu thereof the word "five".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

That in line 31, page 2, of said printed bill, the words "in advance, require further deposits" be stricken out.

Amendment adopted.

## AMENDMENT NUMBER SIX.

That in line 32, page 2, of said printed bill, the words "time to time" be stricken out, and that there be inserted in lieu thereof the following: "time to time, make written demand upon the plaintiff or his attorney for further deposits".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

That in line 33, page 2, of said printed bill, the words "thirty (30) days each" be stricken out, and that there be inserted in lieu thereof the following: "five days each. The demand above provided to be given to his attorney may be given by serving the same as provided in section 1011 of this code, or by depositing such notice in the post office in a sealed envelope, as first class registered mail, postage prepaid, addressed to the person on whom it is served at his last known office or place of residence."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

That in lines 34 and 35, page 2, of said printed bill, the words "receipt of notice" be stricken out, and that there be inserted in lieu thereof the following: "service of said demand given as herein provided".

Amendment adopted.

## AMENDMENT NUMBER NINE.

That in line 44, page 2, of said printed bill, following the word "agent," and before the words "a copy", the following be inserted: "or in the case of a corporation, with the president of the corporation, vice president, secretary, assistant secretary, cashier or managing agent thereof,".

Amendment adopted.

## AMENDMENT NUMBER TEN.

That lines 50 and 51, page 2, of said printed bill, be stricken out, and that the following be inserted in lieu thereof: "same as in the attachment of real property; *provided, however,* that debts owing to the defendant by a banking corporation maintaining branch offices or agencies, or credits or other personal property, whether or not the same is capable of manual delivery, belonging to the defendant and in the possession of or under the control of such a banking corporation, must be attached by leaving a copy of the writ and a notice with the manager of, or any other officer of such banking corporation at, the office, the branch office or agency thereof at which the account of the defendant is carried which evidences such indebtedness or at which such banking corporation has credits or other personal property belonging to the defendant in its possession or under its control; and no attachment shall be effective as to any debt owing by such a banking corporation if the account evidencing such indebtedness is carried at an office or branch thereof not so served, or as to any credits or other personal property in its possession or under its control at any office or branch thereof not so served."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 573—An act to amend sections 224, 226, and 227 of, and to add a new section to be numbered 224*m*, to the Civil Code, relating to adoption.



## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, strike out the word "juvenile", and insert in lieu thereof the word "superior".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 596—An act to amend the Civil Code by adding a new section thereto, to be known as section 161a thereof, relating to the respective interests of husband and wife in community property, and more clearly defining the same.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, beginning with line 3, strike out all of the remaining portion of the printed bill and insert in lieu thereof the following:

161a. The respective interests of the husband and wife in community property during continuance of the marriage relation are present, existing and equal interests under the management and control of the husband as is provided in sections 172 and 172a of the Civil Code. This section shall be construed as defining the respective interests and rights of husband and wife in community property.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 1 to 19, inclusive.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 5, line 20, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "5".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 5, line 29, of the printed bill, after the word and period "work.", insert the following: "Violation of the provisions of this section is hereby declared to be a misdemeanor punishable by fine not to exceed five hundred dollars or by imprisonment, not to exceed one year, in the county jail, or by both such fine and imprisonment."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 5, line 30, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "6".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 6, line 5, of the printed bill, strike out the figure "8", and insert the figure "7".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 6, line 33, of the printed bill, strike out the figure "9", and insert in lieu thereof the figure "8".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 6, line 41, of the printed bill, strike out the figure "10", and insert in lieu thereof the figure "9".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 6, line 50, of the printed bill, strike out the figure "11", and insert in lieu thereof the figure "10".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 6, line 51, of the printed bill, strike out the word "office", and insert in lieu thereof the word "officer".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 7, line 12, of the printed bill, strike out the figure "12", and insert in lieu thereof the figure "11".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 672—An act to amend sections 164, 167, 172 and 172a of the Civil Code, relating to community property.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the first line of the title of the printed bill, strike out the following: "one hundred sixty-four".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out all of lines 1 to 26, inclusive, and strike out lines 1 and 2, on page 2.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, strike out "Sec. 2" and insert in lieu thereof "Section 1".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "2".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 14 to 24, inclusive, and insert in lieu thereof the following: "estate, and the wife shall have the like management, control and power of disposition of that community personal property earned by her

in the practice of a profession, the conduct of a business, or as wages; *provided, however*, that neither spouse can make a gift of such community personal property, or dispose of the same without a valuable consideration, or sell, convey, or encumber the furniture, furnishings, of fittings of the home or the clothing or wearing apparel of the other or of the minor children, that is community, without the written consent of the other."

### Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 2, line 25, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "3".

### Amendment adopted.

#### AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out all of lines 27 to 44, inclusive, and insert in lieu thereof the following:

172a. The husband has the management and control of the community real property acquired by him or by the community earnings of both spouses jointly or which is held in the name of both, and the wife shall have the control and management of the community real property acquired by her in the practice of a profession, the conduct of a business, or as wages; *provided*, that each must join with the other, personally, or by duly authorized agent, in executing any instrument by which such community real property, or any interest therein, is leased for a longer period than one year, or is sold, conveyed, or encumbered, or given as security under bond; *provided, however*, that nothing herein contained shall be construed to apply to a lease, mortgage, conveyance, or transfer of real property or of any interest in real property between husband and wife; *provided, also, however*, that the sole lease, contract, mortgage or deed of the husband, holding the record title to community real property, to a lessee, purchaser or encumbrancer, in good faith without knowledge of the marriage relation shall be presumed to be valid relating to any property held in the name of the husband alone. No action to avoid any instrument mentioned in this section executed by the husband alone, shall be commenced after the expiration of one year from the filing for record of such instrument in the recorder's office in the county in which the land is situate, and no action to avoid any instrument mentioned in this section, which was executed by the husband alone and filed for record prior to the time this act takes effect, in the recorder's office in the county in which the land is situate, shall be commenced after the expiration of one year from the date on which this act takes effect.

### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 665—An act to provide for the regulation and supervision of, and to prevent fraud in, sales of fertilizer as the same is therein defined; to provide for license to engage in the business of selling or dealing in such fertilizer; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1161—An act to repeal an act entitled "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California, and making an appropriation therefor," approved April 25, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 315—An act to amend section 24 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act



for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 407—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

#### COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 16, of the amended printed bill, strike out the following: "and no other, or others,".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 20, of the amended printed bill, strike out the following: "paregoric,".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 3, of the amended printed bill, after the word "saltpeter" strike out the period and insert in lieu thereof a comma and the following: "and such other remedies or drugs as the board may from time to time designate".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2, line 20, of the amended printed bill, after the comma following the word "poison" insert the following: "poultry vermifuge,".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2 of the amended printed bill, strike out all of lines 23 to 27, inclusive, and insert in lieu thereof the following:

This act shall not prevent the sale of Epsom salts in original packages of not less than ten pounds when plainly and properly labeled "For live stock only and not for medicinal purposes" in letters not less than one-half inch in height.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 457—An act to amend sections 2, 3, 4, 11 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 20, 1905, as amended.

Bill read second time, and ordered on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case.

On motion of Senator Jones, H. C., Senate Bill No. 386 was passed on file.

Senate Bill No. 470—An act to amend section 1734b of the Political Code, relating to schools.

On motion of Senator Handy, Senate Bill No. 470 was passed on file.

Senate Bill No. 27—An act to amend section 647 of the Penal Code, defining and punishing the crime of vagrancy.

On motion of Senator Cobb, Senate Bill No. 27 was passed on file.

Senate Bill No. 410—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered

1256, and to repeal sections 1247, 1247*a*, 1247*b*, 1247*c*, and 1247*d* of the Penal Code, relating to appeals in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 410 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 391—An act to add a new section to the Penal Code, to be numbered 969*a*, relating to pleading prior convictions in indictments or informations and providing for the filing of supplemental information, charging prior conviction which may have been omitted in original indictment or information.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 391 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Evans, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—27.

NOES—Senators Fellom and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### MOTION TO WITHDRAW.

Senator Inman moved, duly seconded by Senator Maloney, that Senate Bill No. 189 be withdrawn from Committee on Judiciary and placed on file.

#### AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Fellom and Allen, J. M., upon the motion to withdraw Senate Bill No. 189 from Committee on Judiciary and have it placed on file. Whereupon the Secretary was directed to call the roll.

The question being on the motion to withdraw Senate Bill No. 189 from Committee on Judiciary and have it placed on file.

#### CALL OF THE SENATE.

The roll was called.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney,



McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, West, and Young—38.

The Secretary announced the absentees.

Time, eleven o'clock and fifty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and fifty-three minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll on Senator Inman's motion to withdraw Senate Bill No. 189 from Committee on Judiciary and have it placed on file.

The roll was called, and the motion to withdraw Senate Bill No. 189 from Committee on Judiciary and place it on file was lost by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, H. C., Maloney, Murphy, Rush, Sharkey, Slater, Swing, Taylor, and Wagy—20.

NOES—Senators Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Evans, Handy, Ingram, Jones, Ray; Kline, Lyon, McKinley, Nelson, Pedrotti, Tubbs, Weller, West, and Young—19.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 463—An act to amend section 626g of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 463 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifty-eight minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 604—An act to define certain words and phrases used in laws governing the protection of fish and game in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 604 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 136—An act to amend section 626*d* of the Penal Code, relating to the bag limit of game.

On motion of Senator Young, Senate Bill No. 136 was passed on file.

SENATOR CHRISTIAN IN THE CHAIR.

At twelve o'clock and five minutes p.m., Senator Christian of the Thirteenth District was called to the chair.

Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the Fish and Game Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 605 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 547—An act to repeal section 637*c* of the Penal Code, relating to the taking of sea lions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 547 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Swing, granted leave of absence for the remainder of this legislative day.

Senate Bill No. 464—An act to amend section 631*c* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 464 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Haady, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Lyon, Maloney, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 120—An act granting to the city of Los Angeles the tide lands and submerged lands of the State within the boundaries of said city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 120 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 126 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 731—An act to provide for the establishment of setback lines by any county, city or city and county along any present or proposed street or highway.

On motion of Senator McKinley, Senate Bill No. 731 was passed on file.

Senate Bill No. 302—An act to amend the title and sections 2, 3, 4, 9 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement,"



approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Senate Bill No. 302, as amended March 18, to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

Following the word "nine," in line 2 of the title of said printed bill, insert "ten,".

AMENDMENT NUMBER TWO.

In line 10 of the title of the printed bill, following the word "section" strike out all of said title down to and including the word "improvements", in line 11.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, between lines 2 and 3, insert a new paragraph to read as follows:

Section 1 of said act approved March 24, 1903, as amended, is hereby amended to read as follows:

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, strike out the word and figure "Sec. 2." and insert in lieu thereof the following: "Section 1".

AMENDMENT NUMBER FIVE.

On page 2, beginning with line 26, of the printed bill, strike out all printed matter down to and including the word "district" in line 40 on said page, and insert in lieu thereof the following: "shall be sufficient if it describes briefly and in general terms the proposed improvement, the land necessary or convenient to be taken therefor and the district to be benefited by said improvement and to be assessed to pay the expense thereof, to be known as the assessment district, and refers to a map or plat, approved by the city council, which shall be on file in the office of the city clerk or city engineer at the time of passing the said ordinance which said map shall indicate by a boundary line the land necessary or convenient to be taken for the proposed improvement and shall indicate by a boundary line the extent of the territory to be included in the assessment district. Said map shall control for all details as to the extent of the proposed improvement including the land to be taken therefor and the extent of said assessment district, and no error, irregularity, defect or failure of description contained in said ordinance shall in any wise affect the validity of the proceedings or prevent the city council from acquiring jurisdiction to order the work".

AMENDMENT NUMBER SIX.

On page 3, line 11, of the printed bill, following the first word "and" strike out all printed matter down to and including the word "further", in line 15, and insert in lieu thereof the following: "describe briefly and in general terms the proposed improvement and refer to said ordinance of intention and to the map on file in the office of the city clerk or city engineer for all".

AMENDMENT NUMBER SEVEN.

On page 3, line 15, of the printed bill, strike out the word "should" and insert in lieu thereof the word "shall".

AMENDMENT NUMBER EIGHT.

On page 3, line 23, of said printed bill, following the word "city" insert the following: "or on file in the office of the city clerk".

AMENDMENT NUMBER NINE.

On page 5, line 34, of the printed bill, beginning with the word "Section" strike all of the printed matter down to and including the word "act" on page 6, line 14, of the printed bill, and insert in lieu thereof the following:

Sec. 7. Section 10 of said act approved March 24, 1903, as amended, is hereby amended to read as follows:

Sec. 10. For the purpose of assessing the compensation and damages, the right thereto shall be deemed to have accrued at the date of the issuance of summons, and its actual value at that date shall be the measure of compensation for all property to be actually taken, and the basis of damages to property not actually taken, but injuriously affected, in all cases where such damages are allowed by the provisions of this act; *provided*, that in any case in which the action is not set for trial within one year after the date of the commencement thereof, unless the delay is caused by the defendant, the compensation and damages shall be deemed to have accrued at the date such action is set for trial.

If an order be made letting the plaintiff into immediate possession and the plaintiff shall take immediate possession upon commencing eminent domain proceedings and thereupon giving such security in the way of money deposits as the court may determine to be reasonably adequate to secure compensation to the owner, as provided in section 14 of article I of the constitution, then the compensation and damages awarded shall draw interest at the rate of seven per cent per annum from the date of such order.

No improvements placed upon the property proposed to be taken, subsequent to the date of the publication of the notice of the passage of the ordinance of intention, or subsequent to the date of the filing of a notice of the pendency of an action brought for the condemnation of such property, shall be included in the assessment of compensation or damages.

The referees, or court, or jury, as the case may be, shall find separately:

First—The value of each parcel of property sought to be condemned, and all improvements thereon pertaining to the realty, and of each separate estate or interest therein;

Second—If any parcel of property sought to be condemned is only a part of a larger parcel, the damages which will accrue to the portion not sought to be condemned, and to each separate estate or interest therein, by reason of its severance from the portion sought to be condemned, and the construction of the improvement in the manner proposed by the plaintiff. Such damages must be fixed irrespective of any benefit from such improvement.

SEC. 8. Section 30 of said act approved March 24, 1903, as amended, is hereby amended to read as follows:

SEC. 30. The street superintendent shall, from time to time, pay over to the city treasurer all monies collected by him on account of any assessment made under the provisions of this act; the city treasurer shall, on receipt thereof, place the same in a special fund, designating such fund by the name of the improvement for which the assessment was made; the city council shall, on or before the time when said assessments become delinquent, cause to be appropriated to said special fund the percentage of, or the sum toward, the total expense of such improvement to be paid by such municipality as declared in the ordinance of intention.

SEC. 9. Any proceeding or action for any improvement, such as is provided for in this act, or in said act to which this act is amendatory, already commenced and pending at the time this act takes effect, under or by virtue of any ordinance of intention theretofore passed, shall, from the stage of any such proceeding or action already commenced and in progress at the time this act takes effect, be continued under the provisions of this act and it shall not be necessary to renew or conduct over again any such proceedings or actions, commenced prior to the taking effect of this act.

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 302, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator Lyon adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities; providing for the letting of contracts therefor; providing for the formation of lighting maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation; providing for the levying of special assessment taxes on lands within such districts; and providing for municipalities paying any part of such expenses and making advances to the district fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 522 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones,

H. C., Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation, and providing for the creation of offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

On motion of Senator Weller, Senate Bill No. 595 was passed on file.

Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 372, as amended March 18, 1927, to Senator Weller, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

In lines 11 and 12 of the printed bill, as amended March 18, 1927, strike out the following: "convicted of murder in the first degree", and insert in lieu thereof: "sentenced to death or life imprisonment".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 372, with instructions to amend, respectfully reports the same back, amended as per instructions.

WELLER, Special Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

#### SENATE CONSTITUTIONAL AMENDMENT No. 24.

A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof, a new section to be numbered 5, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of one million dollars for the purpose of providing a fund to be used and disbursed for the purpose of an Olympiad to be held in California in 1932.

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered section 5 and to read as follows:

Sec. 5. The issuance and sale of one thousand bonds of the State of California in the denomination of one thousand dollars each, and the use and disposition of the proceeds of the sale of said bonds, all as provided in the California Olympiad Bonds Act of 1927 as passed by the Senate and Assembly at the forty-seventh session of the Legislature and approved by the governor, authorizing the issuance and sale of State bonds in the sum of one million dollars for the purpose of providing a fund to be used and disbursed for the purpose of an Olympiad to be held in California in 1932, is hereby authorized and directed and the said California Olympiad Bond Act of 1927 is hereby approved, adopted, legalized, ratified, vali-



dated and made fully and completely effective. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this constitution contained shall be a limitation upon the provisions of this section.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 24 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 24 ordered transmitted to the Assembly.

Senate Bill No. 774—An act to amend section 2 of an act entitled “An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work,” approved June 3, 1921, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 774 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363*i*, providing for the supervision of ports by the Department of Public Works.

On motion of Senator Nelson, Senate Bill No. 823 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

On motion of Senator McKinley, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

On motion of Senator Boggs, Senate Bill No. 237 was passed on file.

Senate Bill No. 183—An act to add a new section to the Political Code to be numbered 1607*f*, relating to the powers and duties of boards of trustees and city boards of education and authorizing such boards to establish, equip and maintain buildings to house employees of the school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 183 passed by the following vote:

AYES—Senators Allen J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 536—An act to amend section 1543*a* of the Political Code, relating to the payment of interest on unpaid orders or demands against any school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 536 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare.

On motion of Senator Jones, H. C., Senate Bill No. 570 was passed on file.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Breed, to introduce a bill entitled—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted. Committee membership—5; committee vote—Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, West, and Young—31.

NOES—None.

## SECRETARY JOSEPH A. BEEK AT THE DESK.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED.)

By Senator Breed: Senate Bill No. 869—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner.

Bill read first time, and referred to Committee on Finance.

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

## ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 5—An act to amend section 2713 of the Political Code, relating



to construction and repairs of bridges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

SHARKEY, Chairman.

Assembly Bill No. 5 ordered on file for second reading.

#### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals;

Also: Senate Bill No. 407—An act to amend section 668 of the Penal Code, relating to added punishment of criminals because of prior convictions outside of this State;

Also: Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge;

Also: Senate Bill No. 400—An act to amend section 861 of the Penal Code, relating to the time within which preliminary examinations must be completed;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bills Nos. 409, 407, 382 and 400 ordered on file for second reading.

#### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 607—An act to authorize and empower the Fish and Game Commission to close fishing streams and lakes, and in emergency to restrict the open season for hunting in any fish and game district or portion thereof;

Also: Senate Bill No. 608—An act to amend section 637 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 460—An act to amend section 628b of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 535—An act to amend section 628 of the Penal Code, relating to fish and game;

Also: Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended, relating to fish and game districts;

Also: Senate Bill No. 187—An act to amend section 628f of the Penal Code, relating to the protection of fish;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

CHAMBERLIN, Chairman.

Senate Bills Nos. 607, 608, 460, 535, 635 and 187 ordered on file for second reading.

#### ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 553—An act to reserve from sale certain State lands, being the northeast quarter of the southwest quarter of section thirty-two, township, eight north, range four west, and the west fifty-four and twenty-four hundredths acres of lot two of northwest quarter of section five, township five north, range twelve east, San Bernardino base and meridian, in San Bernardino County, and providing for the use thereof;

Also: Assembly Bill No. 671—An act to amend section 2636 of the Political Code, relating to the naming and change of names of public highways;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

SHARKEY, Chairman.

Senate Bill No. 553 ordered on file for second reading.

Assembly Bill No. 671 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way and easements of the public, including any right of way of which immediate possession and use has been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—15; committee vote: Ayes—12; absent—3.

SHARKEY, Chairman.

Senate Bill No. 510 ordered on file for second reading.

RECESS.

At twelve o'clock and fifty-five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 634—An act to amend section 2 of an act entitled "An act providing for the publication of an index of the laws of California and making an appropriation therefor," approved May 23, 1919, as amended, relating to the price of such index.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 634 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellow, Garrison, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney,

McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 50—An act to add a new section to the Political Code, to be numbered 2320, declaring the cultivated black currant (*Ribes nigrum*) a public nuisance, and providing for its eradication; and providing a penalty for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 50 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and thirty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 666—An act to amend section 12 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the act," approved March 20, 1903, as amended, relating to the revocation of licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 666 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the assembly.

Assembly Bill No. 1061—An act to amend section 14 of the "California Grain Standardization Act," approved June 3, 1921, as amended, relating to the disposition of moneys and to the abolition of the "grain standardization fund."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1061 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Assembly Bill No. 1062—An act to amend section 17 of "The California Economic Poison Act of 1921," approved June 3, 1921, relating to disposition of fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1062 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1063—An act to amend section 9 of an act entitled "An act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and providing penalties for the infraction thereof, and means for enforcement of the act," approved March 20, 1903, as amended, relating to the disposition of fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1063 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Wagy, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 796—An act authorizing State Board of Forestry to receive gifts or donations of lands for forest and watershed purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 796 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 165—An act granting certain tide lands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 165 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagye, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 731—An act to authorize the State Adjutant General to lease State armories and other State property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 731 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinley, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagye, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Senate Bill No. 387 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 45, of the amended printed bill, after the word "court" insert " , unless it shall appear to the court that the defendant has fully recovered his sanity".

AMENDMENT NUMBER TWO.

On page 2, line 48, of the amended printed bill, after the word "insane" strike out the period, and insert a semicolon and the following words: "If, however, it shall appear to the court that the defendant has fully recovered his sanity, such defendant shall be remanded to the custody of the sheriff until his sanity shall have been finally determined in the manner prescribed by law."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 387, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Fellom, Swing and Tubbs upon the adoption of the report of Special Committee of One. Whereupon the Secretary was directed to call the roll.

The roll was called, and the report of Special Committee of One adopted by the following vote:

**AYES**—Senators Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hurley, Jones, Ray; Maloney, Murphy, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and West—22.

**NOES**—Senators Allen, J. M., Baker, Hollister, Ingram, Inman, Johnson, Jones H. C., Kline, Lyon, McKinley, Rush, Weller, and Young—13.

Bill ordered to print, and re-engrossment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Lyon: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors.

Amendment referred to Committee on County Government.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 638—An act to amend the California Vehicle Act approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 31, 36, 41, 42, 46, 47, 55, 57, 58, 60, 63, 69, 77, 78, 96, 112, 114, 115, 116, 117, 118, 142, 147, 148, 151 and 159, and by adding thereto new sections to be numbered 191, and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways;

Also: Senate Bill No. 806—An act to amend section 1608 of the Political Code, relating to the powers and duties of school boards;

Also: Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration and burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners;

Also: Senate Bill No. 448—An act to amend the title and section 1 of an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Senate Bill No. 808—An act to amend section 4463 of the Political Code, relating to newspapers;

Also: Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district or districts benefited of the cost or a portion of the cost of the separation of the crossing of a railroad or street railroad by a street, highway or public way and for the letting of contracts for the said work and for



the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited, lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality; and providing for the payment of a portion of the expenses for such improvement by counties or municipalities at their election;

Also: Senate Bill No. 484—An act to amend section 563a of the Penal Code, relating to false entries;

Also: Senate Bill No. 483—An act to amend section 411 of the Code of Civil Procedure of the State of California, relating to the service of summons;

Also: Senate Bill No. 543—An act to amend section 791 of the Political Code, relating to the number of notaries public in counties of the second class;

Also: Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 768—An act to amend section 33 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to definitions.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 768 ordered to enrollment.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Municipal Corporations.

Committee membership—13; committee vote: Ayes 11; absent—2.

SWING, Chairman.

Senate Bill No. 767 ordered re-referred to Committee on Municipal Corporations.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 92—An act to amend section 3700 of the Political Code, relating to salaries of the members and secretary of the State Board of Equalization, and to repeal section 3700a of the Political Code, relating to the salary of the secretary of said board;

Also: Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office;

Also: Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the District Courts of Appeal;

Also: Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the District Courts of Appeal;

Also: Senate Bill No. 572—An act to amend section 10 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—11; absent—2.

SWING, Chairman.

Senate Bills Nos. 92, 293, 204, 571 and 572 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 139—An act to add a new article to chapter IV of title V, part III of the Political Code, to be numbered 3a, embracing sections 2307 to 2312, inclusive, relating to a State Department for the Blind, and to repeal sections 2207, 2207a, 2207b, 2207c, 2207d, 2207e, 2207f, 2207g, 2207h, 2207i, 2207j, and 2207k of the Political Code, relating to the Industrial Home for the Adult Blind;

Also: Senate Bill No. 788—An act to amend sections 364, 364a, 364b, 364c and 364d of the Political Code and to add new sections to said code to be numbered sections 364e to 364i, inclusive, relating to a Department of Industrial Relations; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

SWING, Chairman.

Senate Bills Nos. 139 and 788 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 52—An act to amend section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office;

Also: Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries;

Also: Senate Bill No. 40—An act to amend section 739 of the Political Code, relating to salaries of officers of the Supreme Court;

Also: Senate Bill No. 254—An act to amend sections 2145, 2153a, 2187, 2189, 2090 and 2191 of the Political Code, relating to the Department of Institutions; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—11; absent—2.

SWING, Chairman.

Senate Bills Nos. 52, 188, 40 and 254 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1112—An act to add a new section to the Political Code, to be numbered 359b, relating to the Governor's Council;

Also: Assembly Bill No. 1019—An act to amend sections 8, 9 and 10 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—11; absent—2.

SWING, Chairman.

Assembly Bills Nos. 1112 and 1019 ordered on file for second reading.

## ADJOURNMENT.

At four o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Thursday, March 24, 1927.

## IN SENATE.

## SENATE CHAMBER.

SACRAMENTO, Thursday, March 24, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 23, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge John L. Fleming, superior judge of Los Angeles, California.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. R. S. French, principal, California School for the Blind, Berkeley, California; and Mrs. Buron R. Fitts, wife of Lieutenant Governor Buron R. Fitts.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. R. R. Veale, Mr. W. M. Veale and Mr. A. H. Bray of Martinez, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. C. O. Dunbar, city manager, and Mr. J. P. Berry, postmaster of Santa Rosa, California, and Mr. Al Joy of Fresno, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. J. P. Miller, Mr. J. P. Miller, Edward Miller, Miss Vuokko Carlson, Mrs. A. S. Dunlap, Mrs. J. F. Smith, San Francisco; Dorothy Kendall and Miss Roselyn Ficken of Orinda Park Union School.



On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Williams Institute, of Berkeley, Miss Runnells, teacher, and students as follows: Alice Leupp, Mary Moore, Sarah Beckman, Delight Dickerman, Charles Griffith, Lawrence Bergër, Robert Case, Emir Garr, Edward Colby and Ralph Ellis.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Danville Grammar School, eighth grade, as follows: Mrs. John Bauer, Mrs. Neil Harrison, A. J. MacDonald, Margaret Baldwin, John Baldwin, Duncan Munroe, William Schoener, Lorraine Lawrence, Eleanor McDonald, Virginia Harrison, Lelia Smith, Jack Brubecker, Walnut Creek, and Ruth Hall.

On request of Senator Nelson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the Political Science Class of Corning Union High School, Tehama County, R. H. Hedge-speth, instructor, and students as follows: Norma Good, Ila Shool, Elizabeth Houghton, Elizabeth Wylie, Bertha Hughes, Thelma Brunk, Lila Stetson, Nelsyne Bartholomew, Charles Canny, Charles Cramp, James McCann, Harold Stover, Don Hollenburg, Winofred Rodgers, Helen Bankhead. Accompanying visitors: Mr. and Mrs. R. H. Hedge-speth, Mrs. I. C. Good, Mrs. H. K. Beresford, Mrs. C. L. Dietz, Miss Sarah Hughes, Mr. and Mrs. Frank Shook and Mr. D. O. Hughes.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Washington School, teacher Ada Cochrane and eighth grade as follows: Wm. Barbosa, Velma Burnaugh, Rose Carboni, August Chiesi, Raymond Corbett, Jake Damora, Marvis Edrington, Theresa Glaviano, Kenneth Hudson, Ethel Hendricks, Alma Lewis, Sara Mandela, Idel Oppen, Donald Omohundro, Dorothy Porter, Sara Petrotta, Dorothy Reese, Frances Riolo, Bill Schmidt, Dorothy Sheridan, Nancy Verdina, Coral Ward and Florence Welch.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. W. G. Irvine of Riverside, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. B. P. Brodie of San Francisco, California, mother of Senator Tallant Tubbs.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Wm. Rhodes Henry and Senator Louis H. Roseberry of Los Angeles, California.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Henry Martine of Alameda, California.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Mat Arnoldy and Mr. Roy Stewart of Marysville, California.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

## ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 322—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, as amended, by adding thereto a new section to be numbered 15b, which section relates to the furnishing of bonds by certain officers and employees of building and loan associations;

Also: Senate Bill No. 323—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642b, relating to the investment of moneys with building and loan associations;

Also: Senate Bill No. 352—An act to amend section 365c of the Political Code, relating to powers of the State Highway Commission.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 322, 323 and 352 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 70—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Senate Bill No. 71—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 70 and 71 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to section 14 of article I of the constitution of said State, relating to the rights of private property.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Constitutional Amendment No. 21 read, and referred to Committee on Constitutional Amendments.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 915—An act to amend section 1552 of the Political Code, relating to the expenses of the superintendent of schools and his assistants;

Also: Assembly Bill No. 1193—An act to amend sections 4, 7 and 10 of an act entitled "An act providing for the improvement, development, or protection of any harbor, bay, inlet or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof," approved June 11, 1915, as amended, relating to surveys, appointment of employees and other appointees, management of work and payment of compensation of commission and claims against the same.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 915 read first time, and referred to Committee on Education.

Assembly Bill No. 1195 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 420—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof;

Also: Assembly Bill No. 439—An act to add to the Political Code a new section, to be numbered section 2323, relating to noxious weeds;

Also: Assembly Bill No. 581—An act to add a new section to the Code of Civil Procedure, to be numbered 379a, relating to the joinder of parties to actions;

Also: Assembly Bill No. 582—An act to add a new section to the Code of Civil Procedure, to be numbered 379b, relating to the parties to actions;

Also: Assembly Bill No. 641—An act to amend section 2322.37 of the Political Code, relating to the salaries of employees in counties of the thirty-seventh class;

Also: Assembly Bill No. 829—An act to amend sections 5, 10, 26, 31, 36, 45, 48, 49 and 60 of the "State Housing Act" approved June 15, 1923, as amended, relating to garages, air intakes, sinks, exits, ceiling heights, gas heaters and ventilation;

Also: Assembly Bill No. 837—An act to amend section 1764c of the Political Code, relating to special classes in day and evening schools.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 420 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 439 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bills Nos. 581 and 582 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 641 read first time, and referred to Committee on County Government.

Assembly Bill No. 829 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 837 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto to be numbered section 15b, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto, to be numbered section 15b, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security for the deposit of public funds.



## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIXTY-NINE.

## AMENDMENT NUMBER ONE.

Amend the title by inserting the words "in certain cases and as security" after the word "security", line 10 of the title of the printed bill.

## AMENDMENT NUMBER TWO.

Strike out the comma after the word "act", line 20, page 1, of the printed bill, and insert in lieu thereof the following: "or as security for the deposit of public funds of the state or of any county, city and county, municipality, or other public corporation or political subdivision in any state or national bank or banks."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 69?

The roll was called, and Assembly amendments to Senate Bill No. 69 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—31.

NOES—None.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 215—An act to amend sections 2, 7 and 8 and to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts, composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to the resolution initiating proceedings, to the report of directors, to the purposes of the district and to assessments—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 215—An act to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to assessment.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED FIFTEEN.

## AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, as amended March 11, 1927, after the word "be" strike out the period and add the word "constructed."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 215?

The roll was called, and Assembly amendment to Senate Bill No. 215 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—31.

NOES—None.

## MOTION TO WITHDRAW.

Senator Inman moved that Senate Bill No. 524 be withdrawn from Committee on Finance and placed on file.

Motion carried.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 229—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended; Also: Senate Bill No. 165—An act to amend section 653*ic* of the Civil Code, relating to nonprofit cooperative corporations;

Also: Senate Bill No. 168—An act to amend sections 653*ff*, 653*kk*, and 653*jj* of the Civil Code, relating to nonprofit cooperative associations with or without capital stock;

Also: Senate Bill No. 212—An act to add a new section to the Code of Civil Procedure, to be numbered 1770*a*, relating to the management of the estate of an incompetent ward, to expenditures that may be made therefrom, and the procedure to be followed in obtaining the order of the court for such expenditures; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 45—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, so as to entitle the applicant for employment to double the amount of the fee paid in the event the fee paid is not returned within forty-eight hours after demand, in cases where the applicant fails to obtain employment;

Also: Senate Bill No. 178—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof;

Also: Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents;

Also: Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class;

Also: Senate Bill No. 255—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

## ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 775—An act to establish a nautical school at the port of Los Angeles, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress approved March 4, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it be referred to Committee on Finance, without recommendation.

Committee membership—9; committee vote: Ayes—8; absent—1.

TAYLOR, Chairman.

Senate Bill No. 775 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 426—An act to amend section 2526a of the Political Code, relating to the powers of the Board of State Harbor Commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it be referred to Committee on Finance, with recommendation that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

TAYLOR, Chairman.

Senate Bill No. 426 ordered re-referred to Committee on Finance.

## ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 540—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 55 thereof, relating to funds and revenue of districts:

Also: Assembly Bill No. 863—An act confirming and validating the formation or organization and existence of reclamation districts;

Also: Assembly Bill No. 865—An act confirming and validating the formation or organization and existence of irrigation districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Assembly Bills Nos. 540, 863 and 865 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 383—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 44, 47 and 47½ thereof, relating to the rights of the owner of real property upon assessment sale and the sale of such real property and the rights of the purchaser thereof and the redemption of property sold at delinquent assessment sale:

Also: Assembly Bill No. 265—An act to amend the California Irrigation District Act by amending sections 13, 19, 19b, 22b and 25 thereof;

Also: Assembly Bill No. 266—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a section thereto to be designated as section 27b, relating to the deposit of funds of irrigation districts in banks, the receiving of interest thereon, and the taking of security for the safe-keeping thereof;

Also: Assembly Bill No. 537—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 85, 86, 87, and 90 thereof, relating to the inclusion of land within districts after their organization:

Also: Assembly Bill No. 538—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 56 thereof, relating to interference by irrigation districts with property subject to public use;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Assembly Bills Nos. 383, 265, 266, 537 and 538 ordered on file for second reading.



Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 358—An act to amend the California irrigation district act, approved March 31, 1897, by adding a new section to be numbered 41c, relating to payment of assessments in two installments, and repealing an act inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 358 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 586—An act to provide for the purchase by the State of California of certain matured irrigation district bonds and coupons and to secure the State for the repayment thereof and to provide a method for securing such repayment, authorizing the California Bond Certification Commission or other state authority authorized so to do, to take over the management and the control of the financial affairs of such districts and making an appropriation for such purposes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

GARRISON, Chairman.

Senate Bill No. 586 ordered on file for second reading.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 505—An act to amend sections 5 and 6 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895:

Also: Assembly Bill No. 1001—An act providing for the use of water and gas lines and appurtenances constructed within municipalities or unincorporated territory of a county under any street improvement act; and providing limitations on the granting of such use;

Also: Assembly Bill No. 385—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1893, as amended, relating to the powers of trustees;

Also: Assembly Bill No. 507—An act to amend sections 4 and 7 of an act entitled "An act to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the constitution of this State, for the municipal taxes of such cities, and for the equalization and correction of such assessment by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the non-payment of such taxes, and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this act," approved June 6, 1913;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Assembly Bills Nos. 505, 1001, 385 and 507 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plats for penalties for nonconformance thereto, that building permits

shall conform to official master plans for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties;

Also: Senate Bill No. 158—An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements;

Also: Assembly Bill No. 544—An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purpose, and to create a board of police commissioners;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Senate Bills Nos. 585 and 158 ordered on file for second reading.

Assembly Bill No. 544 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 444—An act to amend section 653a of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to the publication of ordinances, legal notices or other proceedings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

LYON, Chairman.

Assembly Bill No. 444 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 262—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors;

Also: Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations;

Also: Senate Bill No. 690—An act to amend sections 290b, 290c, 290d and 290e of the Civil Code, relating to corporations;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bills Nos. 262, 544 and 690 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 60—An act to amend section 19 of the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to evidence;

Also: Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings;

Also: Senate Bill No. 692—An act to amend section 2220 of the Civil Code, relating to the purposes for which trusts may be created;

Also: Senate Bill No. 694—An act to repeal sections 847 and 857 of the Civil Code, relating to trusts on real property;

Also: Senate Bill No. 727—An act to amend section 453hh of the Civil Code, relating to land value insurance corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bills Nos. 60, 503, 692, 694 and 727 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 88—An act to amend section 1465 of the Code of Civil Procedure, relating to provision for the support of the family;

Also: Assembly Bill No. 90—An act to amend section 978 of the Code of Civil Procedure, relating to appeals to superior courts;

Also: Assembly Bill No. 628—An act authorizing suits against the State, relating to certain real property and regulating the procedure therein;

Also: Assembly Bill No. 842—An act to amend section 113 of the Code of Civil Procedure, relating to jurisdiction of justices' court;

Also: Assembly Bill No. 843—An act to amend section 1163 of the Code of Civil Procedure;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Assembly Bills Nos. 88, 90, 628, 842 and 843 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 541—An act to amend sections 1, 2 and 3 of the "Usury Law" approved November 5, 1918, relating to legal rates of interest and providing for the submission of this act to a vote of the people;

Also: Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they be re-referred to committee.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bills Nos. 541 and 645 ordered on file for second reading.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 609—An act to amend sections 4 and 5 of an act entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterior-



ration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, and to add to said act a new section to be numbered 8.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all of the first line except the last word.

Amendment adopted.

## AMENDMENT NUMBER TWO.

In the title of the printed bill, strike out all of lines 12, 13, 14 and 15 and insert in lieu thereof the following: "poses; to provide a tax on fish used by a reduction or extraction process in excess of the amount allowed by this act; to provide penalties for any violations of any provisions of this act, and to repeal all acts in conflict with this act."

Amendment adopted.

## AMENDMENT NUMBER THREE.

Strike out all of the bill which follows the enacting clause and insert in lieu thereof the following:

SECTION 1. The fish and game commission is hereby vested with jurisdiction to regulate and control fishing boats, barges, lighters or tenders, receptacles or vehicles containing fish, commercial fishermen, fish canners, packers or preservers, fish reduction plants, plants where any fish products are manufactured, dealers in fish, mollusks or crustaceans or other fishery products, in so far as it may be necessary to insure the taking, catching and delivery of the fish or other fishery products in a wholesome and sanitary condition to canning, packing, preserving, or reduction plants, or any plant where fishery products are manufactured, or to any fresh fish dealer, and to prevent deterioration and waste of any products or of any fishery products. Any fish and game commissioner or assistant or employee of the fish and game commission shall have the authority to enter any canning, packing, preserving or reduction plant, or place of business where fish or other fishery products are packed, preserved, manufactured, bought or sold, or to board any fishing boat, barge, lighter, tender, or vehicle or receptacle containing fish, for the purpose of carrying out the provisions of this act, and any person denying such right of entry shall be guilty of a misdemeanor.

SEC. 2. The fish and game commission may establish grades for different varieties of fish or other fishery products, which said grades must be reached and conformed to by the commercial fishermen who deliver fish or other fishery products to canners, packers or preservers of fish or to fresh fish dealers, and every canner, packer or preserver of fish, or fish dealer, or manufacturer of fish products, must conform to such grade.

SEC. 3. The fish and game commission is hereby vested with full power, authority and jurisdiction to make and enforce such regulations as may be necessary or convenient for carrying out any power, authority or jurisdiction conferred under this act.

SEC. 4. No person, firm or corporation shall suffer or cause any preventable deterioration or waste of any fish caught or taken in the waters of this state, or brought into this state, and no person shall use any fish except fish offal in a reduction plant, or by a reduction or extraction process, except of the species, in the manner and to the amount allowed by the provisions of this act.

SEC. 5. In order to permit canners or packers of sardines, or processors of sardines producing therefrom products for use as human food, to operate efficiently and at maximum capacity, such canners, packers or processors may also use in a reduction plant for producing sardine products for use otherwise than as human food, a portion of any catch of sardines used by such canner, packer or processor; provided, however, that any canner or packer canning or packing one-pound oval cans of sardines must in each lunar month can or pack for use as human food at least fifteen cases of one-pound oval cans of sardines, forty-eight cans to the case, out of each ton of sardines received or used by such canner or packer, and any canner or packer canning or packing sardines in cans of a size other than one-pound oval

cans, or in any other packages or containers, or any processor of sardines producing any products for use as human food, packed or shipped otherwise than in cans, must in each lunar month, out of each ton of sardines received or used by such canner, packer or processor, can, pack or process for use as human food, an amount of sardines equivalent to the amount of sardines packed in fifteen cases of one-pound oval cans, forty-eight cans to the case; *provided, further*, that if in any lunar month a canner, packer or processor does not can, pack or process for use as human food, out of each ton of sardines received or used by such canner, packer or processor, fifteen cases of such one-pound oval cans of sardines or their equivalent as above provided, then such deficiency of canning, packing or processing may be made up during the next succeeding lunar month, but during any two succeeding lunar months' period not less than fifteen such cases of one-pound oval cans or their equivalent, as above provided, must be canned, packed or processed for use as human food out of each ton of sardines received or used by such canner, packer or processor during such two months' period.

For the purposes of this act a lunar month shall be that period between one full moon and the next full moon following.

Prior to engaging in packing or canning sardines for use as human food, or in the processing of sardines to produce any products for use as human food, where such sardines or such products thereof are canned, packed or shipped otherwise than in one-pound oval cans, a canner, packer or processor must have applied to and had established by order of the fish and game commission the standard whereby the amount of sardines so canned, packed or processed will correspond and be equivalent to fifteen cases of one-pound oval cans of sardines, forty-eight cans to the case, to each ton of sardines so canned, packed, processed or used.

SEC. 6. The use of any fish or any part thereof contrary to the provisions of this act is hereby declared to be a nuisance. Whenever the existence of such nuisance is shown to the satisfaction of the court or judge thereof by complaint filed in the name of the people of the State of California, the court or judge shall allow a temporary writ of injunction to abate and prevent the continuance or recurrence of such nuisance. If the existence of a nuisance be established in an action as provided herein, an order of abatement shall be entered as part of the judgment in the case, which order shall direct the closing of the building or place where such nuisance was maintained for a period of three months, and during such time, said building or place shall be and remain in the custody of the court.

SEC. 7. All chutes or conveyors used for the purpose of conveying fish or fish offal to any tank, bin or receptacle, and all such tanks, bins or receptacles containing fish or fish offal to be used for reduction purposes must be so constructed and maintained that at all times the fish or fish offal thereon or therein is open to view and inspection. Any violation of this section is hereby declared to be a misdemeanor.

SEC. 8. Every canner, packer and processor of sardines must keep a daily record, open to examination by the fish and game commission, of the number of cans or bulk product of sardines actually packed, and must make a monthly report to the fish and game commission showing the total amount of sardines received by him during the preceding lunar month, the total number of cases canned during said period and the total amount of other fishery products manufactured during said period. Forms for this report shall be furnished by the fish and game commission and such report must be received by the commission not later than the fifth day after the close of each lunar month. The report shall be verified by an affidavit of the person furnishing the same to the effect that such a report is a true and correct record of the matters therein alleged. Any canner, packer or processor failing to keep the daily record herein required, or failing to furnish the report herein required shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars or not more than five hundred dollars, or by imprisonment for not less than thirty days nor more than six months, or by both such fine and imprisonment.

SEC. 9. Inasmuch as the taking and using of fish is a privilege granted by the State of California and not a right, it is hereby expressly enacted and provided that all persons taking and using sardines must pay as a special tax for such privilege the sum of fifteen dollars for each ton of sardines used by a reduction or extraction process in excess of the amount allowed to be used by the terms of this act. Such tax must be paid to the fish and game commission at the time of the filing of the monthly report required by section 8 hereof, if such report shows that during the preceding two lunar months' period there has been such excess use of fish. Upon failure to make such payment the right of the canner, packer or processor to use sardines for any purpose shall cease and end, and such canner, packer or processor shall not resume operations and use sardines until payment has been made in full, with interest at the rate of eight per cent per annum from time of delinquency. This special tax shall be in addition to all existing licenses or taxes.

SEC. 10. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity

of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 11. An act entitled "An act to conserve the fish supply in California by empowering the fish and game commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, is hereby repealed.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Fish and Game.

Senate Bill No. 835—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 695—An act to amend sections 1 and 8 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 696—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 50, of the printed bill, strike out the word "municipality" and insert in lieu thereof the following: "city and county, city, town, municipal utility district, flood control district".

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 3, lines 8 and 9, of the printed bill, strike out the word "municipality" and insert in lieu thereof the following: "city and county, city, town, municipal utility district, flood control district".

#### Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 3, line 16, of the printed bill, strike out the word "municipality" and insert in lieu thereof the following: "city, town, municipal utility district, flood control district, school district or irrigation".

#### Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 3, line 22, of the printed bill, strike out the word "municipality" and insert in lieu thereof the following: "city and county, city, town, municipal utility district, flood control district".

#### Amendment adopted.



## AMENDMENT NUMBER FIVE.

On page 3, line 48, of the printed bill, strike out the words "county or municipal officer" and insert in lieu thereof the following: "officer of the county, city and county, city, town, municipal utility district, flood control district, school district or irrigation district".

## Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 407—An act to amend section 668 of the Penal Code, relating to added punishment of criminals because of prior convictions outside of this State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 400—An act to amend section 861 of the Penal Code, relating to the time within which preliminary examinations must be completed.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 607—An act to authorize and empower the Fish and Game Commission to close fishing streams and lakes, and in emergency to restrict the open season for hunting in any fish and game district or portion thereof.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

Strike out all of the title and in lieu thereof insert the following:

An act to authorize and empower the director of natural resources to close to fishing and camping any area in any state part or forestry area or fish and game district.

## Amendment adopted.

## AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

**SECTION 1.** For the purpose of further protecting trout with which the fish and game commission has stocked the various waters of this state, the director of natural resources, with the consent of the governor, is hereby authorized and empowered, upon recommendation of the fish and game commission, to close to trout fishing any stream or lake of this state, or designated portion thereof, for such time as such director may designate, or until such time as new legislation thereon enacted by the state Legislature may become effective.

**SEC. 2.** The director of natural resources, with the consent of the governor, shall have power to declare closed to camping any area in any state park or forestry area when, in the judgment of the director, such declaration is necessary in the interest of public peace or safety, and the director of natural resources shall have power and is vested with the duty of enforcing such order against camping.

**SEC. 3.** During the period when any open season is suspended or closed by the director of natural resources, all provisions of law relating to the closed season for such fishes shall be enforced; and each person who violates such provisions shall be subject to the penalties prescribed therefor.

**SEC. 4.** Any order issued under this act shall be published twice in at least one newspaper of general circulation in any county affected by such order and such

publication shall be separated by a period of not less than one week and not more than two weeks and such order shall be posted in such public places in each county as the director of natural resources may direct.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 608—An act to amend section 637 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "of" after the word "owner", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 25, of the printed bill, strike out the word "obstruction" and in lieu thereof insert the following: "obstruction, when in the judgment of the fish and game commission fish are attempting to pass over said dam or artificial obstruction for the purpose of spawning."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 460—An act to amend section 628b of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "fresh water perch" and insert in lieu thereof the words "Sacramento perch (*Archoplites interruptus*)".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the words "fresh water perch" and insert in lieu thereof the words "Sacramento perch (*Archoplites interruptus*)".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out the word "fresh" and insert in lieu thereof the following: "Sacramento perch (*Archoplites interruptus*)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, strike out the words "water perch".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed bill, strike out the words "fresh water perch" and in lieu thereof insert the following: "Sacramento perch (*Archoplites interruptus*)".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 1, line 28, of the printed bill, strike out the words "fresh water perch" and in lieu thereof insert the following: "Sacramento perch (*Archoplites interruptus*)."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 2, of the printed bill, strike out the words "fresh water perch", and in lieu thereof insert the following: "Sacramento perch (*Archoplites interruptus*)."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 535—An act to amend section 628 of the Penal Code, relating to fish and game.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the words "eleven and twelve", and insert in lieu thereof the following: "eleven, twelve and thirteen".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 19, of the printed bill, strike out the period, and insert in lieu thereof the following: "under regulations to be prescribed by the fish and game commission."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1916, as amended, relating to fish and game districts.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "include", strike out the remainder of said line, and also all of lines 11 to 17, inclusive, and insert in lieu thereof the following:

All waters of the San Joaquin river flowing in the main channel thereof, between its mouth and the Santa Fe railroad bridge across said river near Stockton; all waters of Old river flowing within the main channel thereof between its mouth and the Santa Fe railroad bridge across said river at Orwood; all waters of Middle river flowing within the main channel thereof between its mouth and the Santa Fe railroad bridge across said river; all waters of Connection slough between the main channel of Old river and the main channel of Middle river; all waters of Columbia cut flowing therein between the main channel of Middle river and the main channel of the San Joaquin river; all waters of Lathan slough flowing therein between the



main channel of Middle river and Empire cut; all waters of Burns cut-off around Rough and Ready Island.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 187—An act to amend section 628f of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, strike out the word "were", and insert in lieu thereof the word "where".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 46, of the printed bill, strike out the word "Trivela", and insert in lieu thereof the word "Tivela".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 47, of the printed bill, strike out the words "four and three-quarter", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, after line 2, insert the following paragraph:

Every person who ships, offers for shipment or receives for shipment any Pismo clams (*Tivela stultorum*) or has in possession any Pismo clams not in the shell, except Pismo clams being prepared for immediate consumption, is guilty of a misdemeanor.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill 553—An act to reserve from sale certain State lands, being the northeast quarter of the southwest quarter of section 32, township 8 north, range 4 west, and the west 54.24 acres of lot 2 of northwest quarter of section 5, township 5 north, range 12 east, San Bernardino Base and Meridian, in San Bernardino County, and providing for the use thereof.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the semicolon following the word "same", and insert in lieu thereof a period; also, strike out the balance of line 10 and lines 11, 12, 13, 14 and 15.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improve-

ment of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or counties or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in carrying out of such acquisitions, work and improvements.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, insert a comma after the word "grounds".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 47, line 39, of the printed bill, insert a comma after the word "way".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 61 of the printed bill, add the word "county" at the end of line 22.

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 63, line 46, of the printed bill, insert the word "county" before the word "tax".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 63, line 46, of the printed bill, insert the words "the county" before the word "assessor."

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 64, line 14, of the printed bill, before the word "Having", insert "Subsection 1."

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 64, at the beginning of line 31, of the printed bill, add "Subsection 2."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 64 of the printed bill, after the paragraph ending on line 44, add three new subsections, 3, 4, and 5 as follows:

Subsection 3. In all cases in which the proceeding is conducted by the legislative body of a municipality, the clerk of the legislative body conducting the proceedings, in addition to transmitting to the treasurer of such municipality an attested copy of the resolution of instruction notifying the treasurer of the amount of bonds to be issued, shall transmit to the board of supervisors of the county a certified copy of the same, together with certified copies of the ordinance of intention and of the resolutions and orders in which are set forth the boundaries of the district, the number of zones, if any, and the percentage of benefit for each zone, as said matters were finally determined, and shall also transmit to such board a certified copy of the map of the assessment district, showing the boundaries of the district and of the zones therein, if any, as finally determined; and upon the filing with such board of said certified copies said board shall thereupon have jurisdiction and it shall be its duty to take the steps in this act hereinafter required for the assessment, levy, computation, entry, collection and enforcement of such special assessment taxes.

Subsection 4. In all cases in which the legislative body of a municipality conducted the proceedings and the county officials levy and collect the taxes, as hereinbefore provided, the proper officers of said county upon collecting the taxes aforesaid shall, not later than the thirtieth day of each month in which said taxes are collected, transmit the same to the city treasurer of the municipality, the legislative body of which conducted the proceedings, together with a statement of the amount delinquent in each such district, if there be any delinquencies; *provided, however*, that nothing in this section shall be construed as requiring the city officials of a municipality, which has availed itself of the provisions of any law permitting the duties of the city officials relating to assessment, collection and enforcement of taxes, to be performed by county officials, to perform any of the duties herein described relating to the assessment, collection and enforcement of taxes, which are performed for said city by county officers, and the taxes required to be levied hereunder shall be assessed, collected and enforced by the persons who perform such duties for said city.

Subsection 5. It shall be the duty of the treasurer to annually furnish to the board of supervisors of the county, in which said district may be, an estimate of the amount, which will be required, to be paid on account of the principal and on account of the interest on the bonds of such district, during each year of the next succeeding triennium, together with a statement of the balance of the interest and sinking fund of said district, at the time such statement is given. Such estimate shall be itemized so as to show the various dates when payments will be due and the amount so due. Such estimate shall be furnished to said board not later than July first of each year.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 64 of the printed bill, at the beginning of line 45, insert the words "Subsection 6."

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 65 of the printed bill, at the beginning of line 4, insert the words "Subsection 7."

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 65 of the printed bill, at the beginning of line 26, insert the words "Subsection 8."

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 64 of the printed bill, strike out all following the comma after the word "dated" in line 49, and "sale shall take place" in line 50, and insert in lieu the following: "the second day of the July last preceding the date of sale of said bonds."

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 69 of the printed bill, following line 40, add the following:  
SECTION 20 $\frac{1}{2}$ . Subsection a. Every contractor, person, company or corporation, including contracting owners, to whom is awarded any contract for improvement



and/or acquisition work under this act, shall at the time of signing and executing said contract, file with the superintendent of work a good and sufficient bond to the satisfaction and approval of said superintendent of work, running to the county or municipality, as the case may be, in a sum not less than one-half of the total amount payable by the terms of said contract. Such bond shall be executed by a corporate surety, as provided by law, in an amount not less than the sum specified on the bond, and must provide that if the contractor, person, company or corporation, or his or its subcontractors fail to pay for any materials, provisions, provender or other supplies or teams, or the use of implements or machinery used in, upon, for or about the performance of the work contracted to be done, or for any work or labor thereon of any kind, that the surety will pay for same in an amount not exceeding the sum specified in the bond, and also in case suit is brought upon such bond, a reasonable attorney's fee to be fixed by the court. Such bond must, by its terms, inure to the benefit of any and all persons, companies and corporations entitled to file claims under this act, so as to give a right of action to them or their assigns in any suit brought upon said bond.

Subsection b. Any materialman, person, company or corporation furnishing materials, provisions, provender or other supplies used in, upon, for or about the performance of the work contracted to be executed or performed, or any person, company or corporation renting or hiring teams or implements, or machinery for, or contributing to, said work to be done, or any person who performs work or labor upon the same, or any person who supplies both work and materials, and whose claim has not been paid by the contractor, company or corporation to whom the contract has been awarded, or by the subcontractors of said contractor, company or corporation, may at any time prior to the expiration of the period within which claims of lien must be filed for record, as prescribed by section 1187 of the Code of Civil Procedure, filed with the superintendent of work, a verified statement of his or its claim, together with a statement that the same, or some part thereof, had not been paid. It shall be lawful for the superintendent of work, within ten days after the completion of any such contract or work of improvement provided for in this act, or within ten days after there has been a cessation from labor thereon for a period of thirty days, to file for record in the office of the county recorder of the county where the property is situated, a notice, setting forth the date when the same was completed, or on which cessation from labor occurred, together with the name of the municipality and description of the property or public work or improvement, sufficient for identification, and the name of the contractor or contractors, and the name of the surety, which notice shall be verified by such superintendent of work, and in case such notice be not so filed the failure to so file shall have the same effect as provided in section 1187 of the Code of Civil Procedure, with reference to the "owner." Any laborer, materialman, person, company or corporation entitled to the benefit of this act as hereinbefore set forth, whose claim has not been paid by the said contractor, company or corporation, or his or its subcontractors, shall severally have a first lien upon and against the funds, from which payment for said improvements are to be made. And actions against the said municipality and/or superintendent of work, to establish such liens brought by any claimant who has filed claims under this act, or by his assigns, shall be governed by the provisions of sections 1184, 1184a, 1184b, and 1184c of the Code of Civil Procedure, and the verified notice provided for in the said section shall be equivalent for all purposes to the verified claim provided for herein.

Subsection c. No assignment by the contractor of the whole or any part of the funds from which the payment for said improvements are to be made, due him or to be due him under the contract, or for "extras" in connection therewith, whether made before a verified claim is filed, as provided for herein or after said claim is filed, shall be held to take priority over claims filed under this section, and such assignment shall have no binding force in so far as the rights of the claimants who file claims hereunder, or their assigns, are concerned; *provided*, that nothing in this section shall be construed to prohibit payment to the contractor or his assigns, so long as no verified claim is on file before the disbursing officer shall have actually surrendered possession of the funds from which payment for said improvements is to be made, or the payment to said contractor or his assigns of any funds from which payment for said improvements is to be made, due him or his assigns over and above the total amount of the claims filed at that time plus such interest and court costs as might be reasonably anticipated in connection with said claims.

Subsection d. Suit against the surety on the bond of the contractor required hereunder may be brought by any claimant, or his assigns, at any time after the claimant has ceased to perform labor or furnish material or both and until the expiration of six months after the period in which verified claims may be filed as provided herein. The filing of a verified claim shall not be a condition precedent to the maintenance of such action against the surety or sureties on the bond and an action on such bond may be maintained separately from and without the filing of an action against the municipality and/or officer by whom such contract was

awarded. And upon the trial of any such action, the court shall award to the prevailing party a reasonable attorney's fee, to be taxed as costs, and to be included in the judgment therein rendered.

Subsection e. If the contractor, subcontractor or other person against whom any claim is filed as provided in this act shall dispute the correctness or validity of any claim so filed it shall be lawful for the municipality and/or superintendent of work by whom the contract for the improvement was awarded, in its or his discretion, to permit the contractor to whom said contract was awarded to deliver to such municipality and/or superintendent of work a bond executed by some corporation authorized to issue surety bonds in the State of California, in a penal sum equal to one and one-fourth times the amount of said claim, which said bond shall guarantee the payment of any sum which said claimant may recover on said claim together with his costs of suit in said action, if he shall recover therein, and upon the filing of said bond by and with the consent of such municipality and/or superintendent of work, then such municipality and/or superintendent of work shall not withhold any funds from which payment for said improvements is to be made, from said contractor on account of said claim. The sureties upon said bond shall be jointly and severally liable to said claimant with the sureties upon the original bond inuring to the benefit of persons entitled to file claims under this act and given in accordance with the provisions of this act.

### Amendment adopted.

#### AMENDMENT NUMBER FOURTEEN.

On page 78 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following: "\_\_\_\_per cent per annum. Said interest will be due and payable on presentation and surrender of the proper interest coupons as they become due as follows, to wit: On July second, two years after the date hereof, the first two years interest will be payable; and thereafter on January second and July second of each and every year a semiannual payment of interest will be due and payable until the final payment of this bond or until the same is called for payment."

### Amendment adopted.

#### AMENDMENT NUMBER FIFTEEN.

On page 78 of the printed bill in line 28, strike out abbreviation "2nd" and insert in lieu the word "second".

### Amendment adopted.

#### AMENDMENT NUMBER SIXTEEN.

On page 79 of the printed bill, beginning in line 31, after the word "determine", strike out all down to the end of the paragraph in line 43 and insert in lieu the following: "that the first series of bonds to become due shall become due in either three, four or five years, after their date; and that the last series to become due shall become due in any number of years after their date not less than ten years nor more than thirty years after said date."

### Amendment adopted.

#### AMENDMENT NUMBER SEVENTEEN.

On page 79 of the printed bill, in line 46, change the period following the word "year" to a semicolon and insert the following: "except that the first payment of interest shall be for the whole of the interest of the first two years, after the date of the bonds."

### Amendment adopted.

#### AMENDMENT NUMBER EIGHTEEN.

On page 81 of the printed bill, in line 11, omit the comma after the word "bonds".

### Amendment adopted.

#### AMENDMENT NUMBER NINETEEN.

On page 81 of the printed bill, in line 38, following the period after the word "interest", insert the following: "The assessment roll upon which the general taxes for the county are levied shall be the roll upon which the special assessment tax for the said district shall be levied."

### Amendment adopted.

**AMENDMENT NUMBER TWENTY.**

On page 81 of the printed bill, beginning with the word "or" in line 15, strike out all down to and including the comma after the first word "be" in line 17.

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-ONE.**

On page 81 of the printed bill, beginning with the word "or" in line 35, strike out all down to and including the comma after the parenthesis in line 37.

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-TWO.**

On page 81 of the printed bill, strike out all following the words "event the" in line 41 down to and including the period at end of line 44, and insert in lieu the following: "rate at which said special assessment tax shall be levied, in each of said zones, shall be proportionate to the said percentages."

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-THREE.**

On page 81 of the printed bill insert after the word "levied" in line 46, the words "by said county."

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-FOUR.**

On page 81 of the printed bill, strike out all the first part of line 51 to and including the comma after the parenthesis.

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-FIVE.**

On page 82 of the printed bill, beginning with word "or" in line 2, strike out all to end of parenthesis in line 3.

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-SIX.**

On page 83 of the printed bill, strike out the words "said legislative body" in line 3 and in lieu insert the following: "the board of supervisors of the county in which said district is located,".

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-SEVEN.**

On page 83 of the printed bill, strike out the words "legislative body" in line 7 and insert in lieu word "board".

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-EIGHT.**

On page 83 of the printed bill, strike out all of line 25 and the words "had jurisdiction over the proceeding" in line 26.

**Amendment adopted.**

**AMENDMENT NUMBER TWENTY-NINE.**

On page 83 in line 26 of the printed bill, strike out word "body" and in lieu insert word "county".

**Amendment adopted.**

**AMENDMENT NUMBER THIRTY.**

On page 91 of the printed bill, beginning with the comma in line 10, after the word "to", strike out all the balance of subsection 12 and in lieu insert following "the county tax collector."

**Amendment adopted.**



## AMENDMENT NUMBER THIRTY-ONE.

On page 91 of the printed bill, beginning with the comma after the word "to" in line 18, strike out all the balance of subsection 13 and insert in lieu words as follows: "the county assessor."

## Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Roads and Highways.

Senate Bill No. 139—An act to add a new article to chapter IV of title V of part III of the Political Code, to be numbered IIIa, embracing sections 2307 to 2312, inclusive, relating to a State Department for the Blind, and to repeal sections 2207, 2207a, 2207b, 2207c, 2207d, 2207e, 2207f, 2207g, 2207h, 2207i, 2207j and 2207k of the Political Code, relating to the Industrial Home for the Adult Blind.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, strike out the title of the printed act and insert in lieu thereof the following:

An act to add a new article to chapter III, title I, part III, of the Political Code, to be numbered IIh, embracing sections 367 to 372, inclusive, relating to the division for the blind within the state department of institutions, and to repeal sections two thousand two hundred seven, two thousand two hundred seven a, two thousand two hundred seven b, two thousand two hundred seven c, two thousand two hundred seven d, two thousand two hundred seven e, two thousand two hundred seven f, two thousand two hundred seven g, two thousand two hundred seven h, two thousand two hundred seven i, two thousand two hundred seven j and two thousand two hundred seven k, of the Political Code, relating to the Industrial Home for the Adult Blind.

## Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1, 2, 3 and 4, and insert in lieu thereof the following:

SECTION 1. The Political Code is hereby amended by adding a new article to chapter III of title I, part III, to be numbered article IIh, embracing sections 367 to 372, inclusive, and to read as follows:

## Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 5 and insert in lieu thereof the following: "Article IIh."

## Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of line 6 and insert in lieu thereof the following: "division for the blind."

## Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out all of lines 7 to 16, inclusive, and on page 2 strike out all of lines 1 to 10, inclusive, and insert in lieu thereof the following:

367. A division for the blind is hereby created as a division within the department of institutions of the State of California, as such department is provided for according to the provisions of part III, title I, chapter III, article IIg, comprising sections 366 to 366c, inclusive, of the Political Code of the State of California. The division for the blind shall be conducted under the control of a governing board of five members, who shall be appointed by the governor in the manner and for the terms following, to wit: One member shall be the director of the department of institutions; one member shall be appointed for the term of one year; one member

shall be appointed for the term of two years; one member shall be appointed for the term of three years; and one member shall be appointed for the term of four years. As the terms of said members shall expire, their places shall be filled by appointment of the governor, and any place upon said board which shall become vacant before the expiration of the term for which said member shall have been appointed, the governor shall appoint a successor to serve for such unexpired term. Women may be appointed as members of said governing board, or hold any position in the employment of said board. No person shall be appointed as a member or continue to act as such while he is trustee, manager, director, or other administrative officer of any other institution of the state, save and except the director of the department of institutions. The governor shall be an ex officio member of said board.

### Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out all commencing with line 11 to line 22 inclusive, and insert in lieu thereof the following: "The members of the governing board for the division for the blind, shall serve without compensation, but shall be allowed their actual and necessary expenses in connection with their services as members of such board. Said governing board, with the approval of the governor, shall appoint an executive officer, who shall have the control and management of the business and affairs of the said division, with the advice and consent of the governing board. The salary of said executive officer shall be four thousand dollars per annum. Said governing board may appoint such superintendents, heads of bureaus, or other employees as it may deem necessary to carry out the purposes and provisions of this act, and said board shall determine their salaries and their term of office. The executive officer of said board shall execute a bond in the sum of five thousand dollars, and shall take the oath of office prescribed by the Political Code for the executive officers of this state.

### Amendment adopted.

#### AMENDMENT NUMBER SEVEN.

On page 2, line 23, of the printed bill, strike out the number "2308", and insert in lieu thereof the number "368".

### Amendment adopted.

#### AMENDMENT NUMBER EIGHT.

On page 2, line 27, of the printed bill, strike out the word "department", and insert in lieu thereof the word "division".

### Amendment adopted.

#### AMENDMENT NUMBER NINE.

On page 2, line 47, of the printed bill, strike out the word "department", and insert in lieu thereof the word "division".

### Amendment adopted.

#### AMENDMENT NUMBER TEN.

On page 2, line 48, of the printed bill, strike out the number "2309", and insert in lieu thereof the number "369".

### Amendment adopted.

#### AMENDMENT NUMBER ELEVEN.

On page 2, line 49, of the printed bill, strike out the word "department", and insert in lieu thereof the word "division".

### Amendment adopted.

#### AMENDMENT NUMBER TWELVE.

On page 3, line 4, of the printed bill, strike out the word "executive", and insert in lieu thereof the word "governing".

### Amendment adopted.

#### AMENDMENT NUMBER THIRTEEN.

On page 3, line 7, of the printed bill, strike out the number "2310", and insert in lieu thereof the number "370".

### Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 3, lines 7 and 8, of the printed bill, strike out the words "state department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER FIFTEEN.

On page 3, lines 14 and 15, of the printed bill, strike out the words "state department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER SIXTEEN.

On page 3, line 19, of the printed bill, strike out the number "2311", and insert in lieu thereof the number "371".

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTEEN.

On page 3, line 19, of the printed bill, strike out the words "state department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTEEN.

On page 3, line 21, of the printed bill, strike out the word "department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER NINETEEN.

On page 3, line 28, of the printed bill, strike out the word "department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY.

On page 3, line 37, of the printed bill, strike out the word "department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 39, of the printed bill, strike out the word "executive", and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 45, of the printed bill, strike out the word "department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 51, of the printed bill, strike out the word "state department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 4, of the printed bill, strike out the words "state department", and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 36, of the printed bill, strike out the word "executive", and insert in lieu thereof the word "governing", and in the same line strike out the words "state department", and insert in lieu thereof the word "division".

**Amendment adopted.**



## AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 44, of the printed bill, strike out the word "executive", and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 47, of the printed bill, strike out the word "executive", and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 3, of the printed bill, strike out the word "executive", and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER TWENTY-NINE.

On page 5, lines 15 and 16, of the printed bill, strike out the word "executive", and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY.

On page 5, line 20, of the printed bill, strike out the word "executive" and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-ONE.

On page 5, line 27, of the printed bill, strike out the word "executive" and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-TWO.

On page 5, line 34, of the printed bill, strike out the word "executive" and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-THREE.

On page 5, line 39, of the printed bill, strike out the word "executive" and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-FOUR.

On page 5, lines 39 and 40, of the printed bill, strike out the word "department" and insert in lieu thereof the word "division".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 41, of the printed bill, strike out the word "executive" in each place where it appears and insert in lieu thereof in each place the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-SIX.

On page 5, line 49, of the printed bill, strike out the word "executive" and insert in lieu thereof the word "governing".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 1, of the printed bill, strike out the number "3712", and insert in lieu thereof the number "372".

**Amendment adopted.**

## AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 2, of the printed bill, strike out the words "state department" and insert in lieu thereof the word "division".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 6, of the printed bill, strike out the words "state department" and insert in lieu thereof the word "division".

Amendment adopted.

## AMENDMENT NUMBER FORTY.

On page 6, between lines 7 and 8, of the printed bill, insert the following:

From and after the date on which this act takes effect, the division for the blind, shall be and it is hereby authorized and empowered to expend the moneys in any appropriation or in any special fund in the state treasury now remaining or made available by law, for the administration of the provisions of all the statutes referring to the Industrial Home for the Adult Blind.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 788—An act to amend sections 364, 364*a*, 364*b*, 364*c* and 364*d* of the Political Code, and to add new sections to said act to be numbered 364*e* to 364*i*, inclusive, relating to a Department of Industrial Relations.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the word "governor", begin a new sentence to read as follows: "The director of industrial relations shall receive a salary of six thousand dollars per annum; *provided, however*, that during the period of his service as director he shall receive no salary as a member of the industrial accident commission."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following: "pleasure of the governor and shall receive such salary as may be fixed by the governor, not to exceed five thousand dollars per annum. The chief of each division before entering upon the duties of his office shall execute an official bond to the State of California in the penal sum of ten thousand dollars conditioned upon the faithful performance of his duties."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, lines 28 to 45, of the printed bill, strike out all of said lines 28 to 45, inclusive.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3, lines 2 and 3, of the printed bill, strike out the words "division of industrial accidents and safety", and insert in lieu thereof the following: "department of industrial relations".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 3, line 2, of the printed bill, after the word "appointed", strike out the period, and add the following: "except as in this article otherwise provided, each member shall receive a salary of five thousand dollars per annum".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 3, line 22, of the printed bill, strike out the period in said line, and insert in lieu thereof a comma and the following: "and such duties, powers, purposes, responsibilities and jurisdiction shall be administered through the division of industrial accidents and safety".

**Amendment adopted.**

## AMENDMENT NUMBER SEVEN.

On page 3, line 35, of the printed bill, strike out the words "the commission hereby established", and insert in lieu thereof the following: "One of the members may be appointed chief of the division of industrial welfare. The members shall receive no compensation for their services as members but shall receive their actual necessary expenses incurred in the performance of their duties. The department of industrial relations".

**Amendment adopted.**

## AMENDMENT NUMBER EIGHT.

On page 3, line 48, of the printed bill, strike out the period in said line, and insert in lieu thereof a comma, and the following: "and such duties shall be administered through the division of industrial welfare".

**Amendment adopted.**

## AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out lines 51 and 52; also strike out lines 1 to 12, inclusive, on page 4, and insert in lieu thereof the following:

364d. There is hereby created a commission to be known as the commission of immigration and housing to consist of five members. The members of said commission shall be appointed by the governor and shall serve at the pleasure of the governor and not otherwise; *provided*, that the members of the commission of immigration and housing in office at the time this act takes effect shall be and become members of the commission of immigration and housing hereby established to serve until their successors are appointed and qualified. The commission hereby established shall have power to determine policies for guidance of the department of industrial relations in all matters concerning the functions heretofore vested in the division of immigration and housing of the department of labor and industrial relations or in the commission of immigration and housing of California which was established by an act entitled "An act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof" approved June 12, 1913.

**Amendment adopted.**

## AMENDMENT NUMBER TEN.

On page 4, line 20, of the printed bill, strike out the words "such duties, powers, jurisdictions, responsi-", in said line; also strike out all of lines 21 to 25, inclusive, and insert in lieu thereof the following: "as otherwise expressly provided by law."

**Amendment adopted.**

## AMENDMENT NUMBER ELEVEN.

On page 5, lines 13 to 29, of the printed bill, strike out all of said lines 13 to 29, inclusive.

**Amendment adopted.**

## AMENDMENT NUMBER TWELVE.

On page 6, line 26, of the printed bill, strike out the semicolon and the words "*provided, however*, that the" in said line; also strike out all of lines 27 to 31, inclusive, and the word "commissioner" in line 32, and insert in lieu thereof a period.

**Amendment adopted.**



## AMENDMENT NUMBER THIRTEEN.

On page 6, lines 32 and 33, of the printed bill, strike out the words "or by the division" in said lines.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 52—An act to amend section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

In line 3 of the printed bill, following the word "dollars", add a period, and strike out the following: "and the annual salary of the deputy of the insurance commissioner is four thousand five hundred dollars" and in lieu thereof add the following:

The annual salary of the deputies of the insurance commissioner shall be fixed by the commissioner with the approval of the board of control and shall not exceed four thousand five hundred dollars for any such deputy.

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the period following the word "officers" in line 7, strike out all of the remainder of the bill, and insert in lieu thereof the following: "He may also appoint and fix the salaries, with the approval of the state board of control, of such other officers and employees as are necessary for the proper administration of his office."

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 40—An act to amend section 739 of the Political Code, relating to salaries of officers of the Supreme Court.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the words "three thousand dollars", and insert in lieu thereof the words "three thousand three hundred dollars".

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 254—An act to amend sections 2145, 2153a, 2187, 2189, 2090 and 2191 of the Political Code, relating to the Department of Institutions.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out the word "and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, insert a comma after the word "ninety-one", and add the following: "and two thousand one hundred ninety-two".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 16 and 17.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, after the word "county", strike out the semicolon and insert a period, and add the following sentence: "Said state hospitals being for the care and treatment of the insane."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 16, of the printed bill, strike out the word "assistance", and insert in lieu thereof the word "assistant".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 17, of the printed bill, strike out the word "assistance", and insert in lieu thereof the word "assistant".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 5, line 51, of the printed bill, strike out the words "state commission in lunacy", and insert in lieu thereof the words "department of institutions".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 8, line 27, of the printed bill, after the word "control", begin a new section to read as follows:

SEC. 7. Section 2192 of the Political Code is hereby amended to read as follows: 2192. Whenever any parent, guardian, or other person charged with the support of an imbecile or feeble-minded person, or any idiot, or epileptic who is not insane, desires him to be admitted into the home for feeble-minded, he may petition the superior court of the county in which he resides, for an order admitting such person to such hospital: *provided*, that any probation officer or district attorney may petition said court for an order admitting such a person to such hospital. Whenever such petition is filed by a probation officer or district attorney, the court shall require such notice of the hearing of said petition to be given to any parent, guardian, or other person charged with the support of said imbecile, or feeble-minded person, or idiot, or epileptic mentioned in said petition, as the court may deem proper: *provided, however*, that in all cases the court shall require due notice of the hearing to be given to the alleged incompetent. The judge must inquire into the condition or status of such person, and if he finds him to be an imbecile, feeble-minded person, idiot or epileptic, and that he has been a resident of the state for one year next preceding the presentation of the petition, such judge must make an order that he be received, maintained, and educated in such hospital, and on the presentation of such order the superintendent must receive him therein, if the hospital is not already full, or the fund available for its support exhausted; but the imbecile, feeble-minded person, idiot, or epileptic, need not be received if, in the judgment of the management of the hospital or the commission, he is not a suitable subject for admission thereto. The judge must inquire into the financial condition of the parent, guardian, or other person charged with the support of any such person, and if he finds him able, in whole or in part, to pay his expenses at such hospital, he must make a further order requiring such parent, guardian, or other person charged with the support of such person to pay to the hospital at stated periods such sums as, in the opinion of

the judge, are proper during such time as the person may remain in such hospital. This order may be enforced by such further orders as the judge deems necessary, and may be varied, altered, or revoked in his discretion, and the board of managers may, with the approval of the commission, cause the peremptory discharge of any person who has been an inmate or patient for the period of one month. For each child or other person committed to such home there shall be paid by the county from which he is committed to the state treasury the sum of twenty dollars monthly for and during each month, or part of month, such person so committed remains an inmate of the hospital, in case the payments herein provided to be made by the parent, guardian, or other person charged with the support of any such person shall not be made.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 240—An act to amend sections 6, 11 and 16 of an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," and to add to said act a section, to be numbered 24b, relating to reassessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 241—An act to validate bonds issued under Drainage District Improvement Act of 1919 and all proceedings relative thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 683—An act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 2047, and all acts and proceedings of said district and of the trustees and officers thereof and the proceedings relating to the inclusion of additional lands within the district, and defining and declaring the exterior boundaries of said district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 5—An act to amend section 2713 of the Political Code, relating to construction and repair of bridges:

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 671—An act to amend section 2636 of the Political Code, relating to the naming and change of names of public highways.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On lines 2 and 3 of the title in the printed bill, strike out the words "and change of names".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1112—An act to add a new section to the Political Code, to be numbered 359a, relating to the Governor's Council.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 1019—An act to amend sections 8, 9 and 10 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended, relating to care of funds.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district benefited of the cost or a portion of the cost of separation of the crossing of a railroad or street railroad by a street, highway or public way and for the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and

one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality; and providing for the payment of a portion of the expenses for such improvement by counties or municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 296 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 579 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 470—An act to amend section 1734c of the Political Code, relating to schools.

On motion of Senator Handy, Senate Bill No. 470 was passed on file.

Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

On motion of Senator Fellom, Senate Bill No. 90 was passed on file.

Senate Bill No. 136—An act to amend section 626*d* of the Penal Code, relating to the bag limit of game.

In the absence of the author, Senate Bill No. 136 was ordered passed on file.

Senate Bill No. 731—An act to provide for the establishment of setback lines by any county, city or city and county along any present or proposed street or highway.

On motion of Senator McKinley, Senate Bill No. 731 was passed on file.

Senate Bill No. 638—An act to amend the California Vehicle Act, approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 158, 151, and by adding thereto new sections to be numbered 19½ and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of this act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways.

On motion of Senator Breed, Senate Bill No. 638 was passed on file.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 8, article XIII of the constitution of the State, relative to revenue and taxation.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 17 refused adoption by the following vote:

AYES—Senators Canepa, Crowley, Fellom, Gray, Hurley, Maloney, Murphy, Sharkey, and Tubbs—9.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C. Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Rush, Slater, Taylor, Waggy, Weller, and West—28.

Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation, and providing for the creation of offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 595 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 250—An act to amend section 669 of the Penal Code, relating to terms of imprisonment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, and Weller—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare.

On motion of Senator Jones, H. C., Senate Bill No. 570 was passed on file.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 806—An act to amend section 1608 of the Political Code, relating to the powers and duties of school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 806 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class.

In the absence of the author, Senate Bill No. 66 was ordered passed on file.

Senate Bill No. 229—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 229 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagye, and Weller—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 255—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 255 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Swing, Taylor, Tubbs, Wagye, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges.

On motion of Senator Allen, J. M., Senate Bill No. 345 was passed on file.

Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics, and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration,

and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Senate Bill No. 230 to Senator Weller, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 10, of the printed bill, strike out the following: "A rea-" and strike out all of line 11 and the words "charge against the county." in line 12.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 230, with instructions to amend, respectfully reports the same back, amended as per instructions.

WELLER, Special Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 232—An act to amend section 294 of the Penal Code, relating to custody of dead bodies.

On motion of Senator Swing, Senate Bill No. 232 was passed on file.

Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 233 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, J. C., Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 347—An act to amend section 2646 of the Political Code, relating to the maintenance and repair of county highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 347 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 655—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the purchase of materials and



supplies and providing for cooperation of said flood control district with public and private corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 655 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Senate Bill No. 846—An act to add four new sections to the Political Code, to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll-bridge franchises by boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 846 refused passage by the following vote:

AYES—Senators Allen, N. M., Baker, Evans, Handy, Hollister, Kline, Lyon, Pedrotti, Rush, Slater, Swing, and Waggy—12.

NOES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hurley, Inman, Johnson, Jones, H. C., Maloney, McKinley, Murphy, Sharkey, and Tubbs—19.

#### NOTICE OF MOTION TO RECONSIDER.

Senator Sharkey gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 846 was refused passage.

#### NOTICE OF MOTION TO RECONSIDER.

Senator Maloney gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 233 was passed.

#### MOTION TO WITHDRAW.

Senator Inman moved that Senate Bill No. 254 be withdrawn from Committee on Finance and placed on file.

Motion carried.

#### MOTION TO WITHDRAW.

Senator Jones, H. C., moved that Senate Bill No. 807 be withdrawn from Committee on Finance and placed on file for purpose of amending.

Motion carried.

#### RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

## RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 6—An act to amend sections 751, 752, 752*a*, 752*b*, 753, 754, 755, 757, 760, 761, 762, 763, 764, 765, 766, 767, 769, 772, 773, 774, 776, 777, 778, 786, 788, 789, 790, 791, 797, 798, 806, 807, 808, 813, 851, 852, 852*a*, 852*b*, 853, 854, 855, 857, 858, 859, 860, 861, 862, 862*a*, 863, 864, 865, 867, 868, 870, 870*a*, 871, 872, 874, 875, 876, 878, 879, 880, 881, 882, 883, 884 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to city officers of cities of the fifth and sixth classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 6 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagv, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 22—An act to add a new section to be numbered 27*a* to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provisions for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to the annexation of territory to sanitary districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Johnson, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagv, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 17—An act to add a new section to be numbered 7a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923, relating to the Sanitary Board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 17 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Kline, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 589—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, by providing that the electors of cities of the sixth class may, by majority vote, adopt either the commission or city manager plan of government; also that they may abolish the same by a like vote.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 589 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Kline, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 443—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to the consolidation of voting precincts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 443 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Kline, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 548—An act to amend section 1583 of the Political Code, relating to joint school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 548 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray, Kline, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 913—An act to amend section 4 of an act entitled "An act to create a fund to be known as the United States Forest Reserve fund and to provide for the payment out of such fund to the treasury of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of the expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to apportionment of unrepresented funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 913 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Johnson, Jones, Ray, Kline, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—28.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 209—An act to amend section 2322.11 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 209 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—26.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 956—An act to amend an act entitled "An act to provide for the gathering of data concerning teachers of California who are bound by the provisions of 'An act to provide for the payment of retirement salaries to the public school teachers of this State, etc.,' approved June 16, 1913," approved May 22, 1925.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 956 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 957—An act to amend sections 5, 13 and 14 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, etc.," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 957 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 292—An act to amend section 2349 of the Political Code, relating to navigable streams and public water ways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 292 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 665—An act to provide for the regulation and supervision of, and to prevent fraud in, sales of fertilizer as the same is therein defined; to provide for license to engage in the business of selling or dealing in such fertilizer; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

MOTION TO REFER TO A SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 665 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

## AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "6".

## AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "5".

## AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "6".

## AMENDMENT NUMBER FIVE.

On page 3, line 18, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "7".

## AMENDMENT NUMBER SIX.

On page 3, line 22, of the printed bill, strike out the figure "9", and insert in lieu thereof the figure "8".

## AMENDMENT NUMBER SEVEN.

On page 4, line 39, of the printed bill, strike out the figures "10", and insert in lieu thereof the figure "9".

## AMENDMENT NUMBER EIGHT.

On page 4, line 43, of the printed bill, strike out the figure "11", and insert in lieu thereof the figure "10".

## AMENDMENT NUMBER NINE.

On page 4, line 49, of the printed bill, strike out the following: "9 and 10", and insert in lieu thereof the figure "8".

## AMENDMENT NUMBER TEN.

On page 4, line 51, of the printed bill, strike out the figure "12", and insert in lieu thereof the figure "11".

## AMENDMENT NUMBER ELEVEN.

On page 5, line 7, of the printed bill, strike out the figure "13", and insert in lieu thereof the figure "12".

## AMENDMENT NUMBER TWELVE.

On page 5, line 17, of the printed bill, strike out the figure "14", and insert in lieu thereof the figure "13".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 665, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOW, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print.

Assembly Bill No. 315—An act to amend section 24 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellow, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray;



Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 407—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 407 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 457—An act to amend sections 2, 3, 4, 11 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 457 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Wagy—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1020—An act authorizing the Governor, as trustee, to receive on behalf of the National Guard of the State of California, certain funds from the Secretary of War of the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1020 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 421—An act to confirm a lease executed by the city of Richmond.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 421 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1151—An act to validate the organization and existence of municipal utility districts and declaring the urgency of said act.

Bill read third time.

#### PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—31.

NOES—None.

Assembly Bill No. 1151—An act to validate the organization and existence of municipal utility districts and declaring the urgency of said act.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1151 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 466—An act to amend section 2 of an act entitled "An act to regulate the issuance of licenses for resale to hunters and 'anglers,'" approved May 20, 1915, as amended;

Also: Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers;

Also: Senate Bill No. 49—An act to amend section 6 of an act approved April 30, 1919, to amend an act entitled "An act to amend section 6 of an act entitled

'An act concerning the waterfront of the City and County of San Francisco,' approved May 17, 1917;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 670—An act to authorize the creation of county adjustment schools for the care of minors under eighteen years of age; to provide for the maintenance and management of same, and the making of commitments and transfer of said minors thereto, and the support of said minors therein:

Also: Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a and 11 of an act entitled "An act to provide for the formation, management, and dissolution, of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof;

Also: Senate Bill No. 41—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the license fees to be paid by licensed employment agencies and surety bonds required of them;

Also: Senate Bill No. 592—An act to amend section 494 of the Civil Code of the State of California, relating to the sale of property and franchises of railroad corporations;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 116—An act to amend section 4300f of the Political Code, relating to fees of jurors;

Also: Senate Bill No. 841—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 261—An act to amend section 629a of the Political Code, relating to group life insurance and valuation thereof;

Also: Senate Bill No. 739—An act to add a new section to the Civil Code, to be numbered 452b, relating to mutual benefit and life insurance associations, and providing that such association shall not pay or agree to pay any remuneration for solicitation of membership applications, until they have complied with section 609 of the Political Code, and shall have procured a certificate of authority from the Insurance Commissioner, and shall have complied with all of the laws of this State applicable to such associations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

HOLLISTER, Chairman.

Senate Bills Nos. 261 and 739 ordered on file for second reading.



## ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 897—An act authorizing the head of any State department, with the approval of the Department of Finance, to destroy records;

Also: Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by prescribing the number and fixing the salaries of such assistants and deputies; and making a supplemental appropriation to be applied toward the payment of such salaries during the seventy-ninth and eightieth fiscal years;

Also: Senate Bill No. 528—An act to add a new section to the Code of Civil Procedure, to be numbered 1308a, relating to orders admitting wills to probate and the certification and recordation of wills;

Also: Senate Bill No. 641—An act to amend section 19b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to probation officers;

Also: Assembly Bill No. 1176—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIj, embracing sections 373 to 373i, relating to a Department of Natural Resources;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—1.

SWING, Chairman.

Assembly Bills Nos. 897 and 1176 ordered on file for second reading.  
Senate Bills Nos. 527, 528 and 641 ordered on file for second reading.

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 5—An act to provide for the organization and creation of improvement districts within irrigation districts organized under the "California Irrigation District Act"; to provide for the construction of improvements therein, and for the levy of assessments on the lands of such improvement districts;

Also: Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16r1, consecutively, to 16r58 to and to amend sections 16 and 17 of an act entitled "An act to establish a standard of weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended:  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1077—An act to amend section 1 of an act providing for topographic surveys and investigation of the water resources of the State and making an appropriation therefor, approved April 22, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1077 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1161—An act to repeal an act entitled "An act to provide for the collection, compilation and publication of agricultural and other industrial statistics for the State of California, and making an appropriation therefor," approved April 25, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1161 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hurley, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16r4 consecutively to 16r58 to an act entitled "An act to establish a standard of weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Senate Bill No. 96 to Senator Sharkey, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In the eleventh line of the title of the printed bill after the word "wares" insert a comma.

## AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, after the word "wares" insert a comma.

## AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, strike out the words "a deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill, strike out the words "a deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER SIX.

On page 2, line 28, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER SEVEN.

On page 2, line 40, of the printed bill, strike out the words "a deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER EIGHT.

On page 2, line 41, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER NINE.

On page 2, line 47, of the printed bill, strike out the words "a deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER TEN.

On page 2, line 48, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER ELEVEN.

On page 3, line 13, of the printed bill, strike out the words "a deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER TWELVE.

On page 3, line 13, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER THIRTEEN.

On page 3, lines 19 and 20, of the printed bill, strike out the words "an assistant deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER FOURTEEN.

On page 3, line 20, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER FIFTEEN.

On page 3, lines 26 and 27, of the printed bill, strike out the words "a deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER SIXTEEN.

On page 3, line 27, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER SEVENTEEN.

On page 5, lines 11 and 12, of the printed bill, strike out the words "a deputy who" and insert in lieu thereof the word "deputies".

## AMENDMENT NUMBER EIGHTEEN.

On page 5, line 12, of the printed bill, after the word "month" insert the word "each".

## AMENDMENT NUMBER NINETEEN.

On page 8, line 32, of the printed bill, strike out the words "The compensation of such deputies shall" and strike out all of line 33.



## AMENDMENT NUMBER TWENTY.

On page 8, line 51, of the printed bill, strike out the words "written request for" and strike out all of line 52 and insert in lieu thereof the following: "a vacancy occurs, the state".

## AMENDMENT NUMBER TWENTY-ONE.

On page 9, line 4, of the printed bill, strike out the word "to" and insert in lieu thereof the word "shall".

## AMENDMENT NUMBER TWENTY-TWO.

On page 9, line 21, of the printed bill, strike out the words "(Amended Stats. 1915, p. 1315.)".

## AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 26, of the printed bill, after the word "appointment" strike out the word "of" and insert the word "by".

## AMENDMENT NUMBER TWENTY-FOUR.

On page 9, beginning in line 28, of the printed bill, after the word "expedient" strike out all to and including the word "town" in line 35 and insert in lieu thereof a comma and the following "and fix the compensation of such sealer and deputies".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 96, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Boggs adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to age of majority.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 428 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Murphy, Sharkey, Slater, Taylor, Wagy, and Weller—24.

NOES—Senators Maloney, Swing, and Tubbs—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An act to add a new chapter, to be numbered chapter IIa, embracing section 2980 to division III, part I, title XIV of the Civil Code, relating to conditional sales.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Weller moved to refer Senate Bill No. 349 to Senator Taylor, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In line 13 of the printed bill, strike out the figures "4030" and insert in lieu thereof the figures "4130".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 349, with instructions to amend, respectfully reports the same back, amended as per instructions.

TAYLOR, Special Committee.

Report read, and on motion of Senator Weller adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 280—An act to amend section 4300*l* of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 280 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 116—An act to amend section 4300*f* of the Political Code, relating to fees of jurors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 116 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and Weller—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 165—An act to amend section 653*w* of the Civil Code, relating to nonprofit cooperative corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 165 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 168—An act to amend sections 653*ff*, 653*kk* and 653*jj* of the Civil Code, relating to nonprofit cooperative associations, with or without capital stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 168 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 212—An act to add a new section to the Code of Civil Procedure, to be numbered 1770a, relating to the management of the estate of an incompetent ward, and to expenditures that may be made therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 212 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

NELSON, Chairman.

Senate Bill No. 298 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 33—An act to amend section 3756 of the Political Code, relating to penalty on delinquent taxes;

Also: Assembly Bill No. 442—An act to amend "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended, by adding a new section thereto to be numbered section 25½, providing for the payment of certain work by special tax and authorizing the levy of special tax therefor. Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Assembly Bills Nos. 33 and 442 ordered on file for second reading.



## ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 23, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 1, 3, and 4 of article X thereof, relating to the State Board of Prison Directors;

Also: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to rights of persons accused of crime and the taking of depositions in criminal cases;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they be adopted as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Constitutional Amendments Nos. 10 and 11 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder;

Also: Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted;

Also: Senate Bill No. 394—An act to amend sections 954 and 956 of the Penal Code, relating to pleadings and form of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bills Nos. 414, 377, 394, and 362 ordered on file for second reading.

## REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Cobb:

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act providing for the acquisition by the State, by purchase, condemnation, gift, or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in relation thereto and making an appropriation therefor.

Request referred to Committee on Rules.

By Senator Ingram:

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to provide for the impounding and utilization of the waters of the American River of flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto, and repealing acts inconsistent herewith.

Request referred to Committee on Rules.

By Senator Canepa:

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class.

Request referred to Committee on Rules.

By Senator Christian:

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class.

Request referred to Committee on Rules.

By Senator Hollister:

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to create a Bureau of Narcotics under the direction of the State Board of Health, to define its powers and duties, to create a state narcotic fund, and a revolving fund, to regulate the sale, dispensation and use of narcotic drugs, preparations and their derivations in the State of California; to provide penalties for the violation of this act; and to repeal certain sections of an act entitled "An act to regulate the sale and use of poisons in the State of California and provide a penalty for the violation thereof" approved March 6, 1907, and acts amendatory thereof; and all other acts and parts of acts in conflict with the provisions hereof.

Request referred to Committee on Rules.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, providing penalties and making an appropriation therefor.

#### AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Jones, H. C.:

##### AMENDMENT NUMBER ONE.

After the words "Section 1." of the amended printed bill strike out the remainder of the section and in lieu thereof insert the following: "It shall be unlawful to pack, ship, store, deliver for shipment, offer or expose for sale any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient in excess of the quantity prescribed under the laws of the United States."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

After the word "provided," line 27, page 2, of the amended printed bill, insert the following: "(c) When any lot of fresh or dried fruits or vegetables has been found to carry spray residue in excess of the quantity prescribed by the laws of the United States the director of agriculture may permit the lot to be cleaned or reconditioned and to release such lot after such treatment if the same is found to comply with the provisions of section 1 of this act.

(d) The director of agriculture shall make rules and regulations for carrying out the provisions of this act."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 33, of the amended bill, after the word "found," strike out the remainder of the section and insert the following: "shall be condemned or destroyed or released upon such conditions as the court, in its discretion, may impose."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

## ADJOURNMENT.

At four o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Friday, March 25, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, March 25, 1927.

The Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—36.

Quorum present.

## PRAYER.

Prayer was offered by the chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 24, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senators West and Christian were, on motion of Senator Hurley, granted leaves of absence for this day.

Senator Swing was, on motion of Senator Fellom, granted leave of absence for this day.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to students of the civics class of Lottie Grunsky School of Stockton, as follows: Glenn Frederickson, Patrick Zilembo, Lucile Freitas, Louise Fortner, Lorin Anderson, Alice Car, Robert Gray, Robert Nelson, Floyd Paddock, Vivian Desper, William McNee, Kenneth Miller, Julius Neubarth, Charles Evans, Harriett Podesta, Constance Stormes, Elsie Smith, John



Cade, Lester Fifield, Jack Colhouer, George Booker, Naomi Rolfe, Janice McLaughlin, Doris Dunn, Helen Tredway, Genevieve Brunner, Shirley Rasch, George Hull, Eddie Delara, Arthur Caviglia, Frank Chinchola, Robert Stone, Augusta Bataglia, Josephine DaValle, Hazel Webb, Fern Clements, Jack Skotland, Alice Carr, Doris Dunne, Ardath Schackelford and Nell McGinley; parents, Mrs. Frederickson, Mrs. Tredway, Mrs. Hackaboy, Mrs. Battaglia, Mrs. Caviglia and Mr. Cade; teachers, Miss K. Donelon and Miss Marie Meier, and principal, Mr. John McDonald.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Pittsburg Grammar and High School. Teachers in charge: Elroy Hill, Willa Youngberg, Robert Gibson, and students as follows: Nuzio Leondine, Joe Tonso, Mamie Flores, Salvatore Genvese, Sam Russo, John Aiello, Theresa Banchio, Rose Lucido, Frances Guildi, Raymond Peirano, John DeVito, Mary Evola, Helen Catiello, Jack King, James Lanz, Billy Lanz, Alberta Jackson, Salvatore Riccabona, Norris Teakle, Mary Bruno, Fannie Di Mercurio, Ellen Moore, Grace Lucido, Ursala Haynes, Mike Billeci, Peter Costanza, Herbert Colombo, Dorothy Christian, Ratzl Trezza, Tony Anello, Russel Steiner, Neno Russo, Natalie Silveria, Constance Cardinalli, Joe Bruno, George South, Adolph Panfili, Salvatore Russo, Peter Abernathy, Basel Rebstock, Janice McFaul, Helen Walker, Lillian Cavagnola, Nora Bruno, Frances Cardinalli, Raymond Williamson, Annie Marie Parker, Edna Synider, Mary Meratta, Leslie Brown, Rose Mercurio, Elsie Lesteck, Dorothy Sturgis, Frank Arcidiacono, Cosino Bruno, Marjorie Cleary, Evelyn Caruso, Marie Russo, Angelina Costanza, Eddie Lopez, Jennie Carine, John Evola, Dorothy Spueito, Lucy Bruno, Rose Cardinalli, Salvatore Costanza, Jennie Promesso, Mike Pappas, Rose Siino, Charlie Gambino, Jennie Bruno, Neda Costanza, Annie Cavallier, Carl Stovall, Charles Patterson, Hazel Davis, John Pardi, Henry Summer, Neno Siino, Frances Rogers, Marie Gaspardone, Salvatore Davi, Mary Bruno, Mary Davi, Antonina Costanza, Frances Terranova, Jim Bruno, Tony Troia, Camille Allen, Joe Circo, Peter Bannano, Joe Mercurio, Horace Smario, Neno Billeci, Frances Chiparo, Angelina Billeci, Manuel Canciamello, Elwood Fleming, Frank Cardinalli, Esther Mabey, Bemina Colma, Dorothy Messick, Aden Irving, Mary Tonso, Victoria Scribante, George Burris, Vincent Zeno, Ruth Wooleolt, Mary Louise Baker, Ruth Haag, Barbara Ford, Walter Whitman, Annie Buzacott, Evelyn Webb, Laura Fisher, Rosalie Lucido, Ratzl Costanza, Sally Partnico, Rose Catania, Roland MacDonald, Ratzl Davi, Frank Olvera, Eivor Holst, Santina Bennetti, Leonore Azevedo, Vivian Yeaton, Barney Davi, Pearl Pugmire, Annie Felix, Vincent Jimno, Edda Botto, Clarice Jackson, John Russo, Lewis Campbell, Helen Work, Tony Tapello, Steve Beratta, Martin Christian, Emma Davis, Circo De Mercurio, Dorothy Fennenbock, Virginia Turner, Malcolm Champlin, Lena Ferranti, Mamie Davi, Neno Davi, Mike Scotto, Florence Cardinalli, Sara Billeci, Ben Puente, Bradford Champlin, Mary Catherine Irving, Rosie Aiello, Vincent Davi, Andrew Russo, Catherine South and Rose Scotto.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to A. W. Berhauer of Fresno, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Elizabeth Rathbun and Miss Lucille Stewart of Oakland, California.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Billy Glassen, Owen King, A. L. Frost and Ed. Fisher of San Diego, California, and W. D. Hall of El Cajon, California.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to F. A. Chamberlain of Bakersfield, California.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 194—An act to amend section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations;

Also: Senate Bill No. 198—An act to amend section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor, approved March 11, 1907, as amended;

Also: Senate Bill No. 815—An act to amend section 1 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, as amended; and add a new section, to be numbered 74, relating to the conduct of training schools for nurses;

Also: Senate Bill No. 573—An act to amend sections 224, 226 and 227 of, and to add two new sections to be numbered 224m and 226m, to the Civil Code, relating to adoption;

Also: Senate Bill No. 596—An act to amend the Civil Code by adding a new section thereto, to be known as section 161a thereof, relating to the respective interests of husband and wife in community property, and more clearly defining the same;

Also: Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the culling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof;

Also: Senate Bill No. 835—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges;

Also: Senate Bill No. 695—An act to amend sections 1 and 8 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923;

Also: Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals;

Also: Senate Bill No. 407—An act to amend section 668 of the Penal Code, relating to added punishment of criminals because of prior convictions outside of this State;

Also: Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge;

Also: Senate Bill No. 400—An act to amend section 861 of the Penal Code, relating to the time within which preliminary examinations must be completed;

Also: Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license

and regulate the business of private detective and detective agencies," approved June 7, 1915;

Also: Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein.," approved May 30, 1921, as amended, relating to persons eligible to the

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act;

Also: Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 299—An act to amend sections 1817, 1830, 1836, 1838 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes;

Also: Assembly Bill No. 168—An act to amend section 1838 of the Political Code, relating to a building fund tax;

Also: Assembly Bill No. 169—An act to revise an act entitled "An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks for the use of pupils of such schools," approved May 18, 1917;

Also: Assembly Bill No. 201—An act to amend section 1612 of the Political Code, relating to contracts by boards of school trustees and city boards of education;

Also: Assembly Bill No. 836—An act to amend section 1764 of the Political Code, relating to schools;

Also: Assembly Bill No. 916—An act amending the Political Code by adding a new section thereto, to be numbered 1536, to establish a State Curriculum Commission for the public schools of the State;

Also: Senate Bill No. 717—An act to amend section 1618a of the Political Code, relating to health supervision;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bills Nos. 299 and 717 ordered on file for second reading.

Assembly Bills Nos. 168, 169, 201, 836 and 916 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 176—An act to add a new section to the Political Code, to be numbered 1858a, relating to an emergency fund for the relief of school districts suffering from an unusual increase in school attendance—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bill No. 176 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets;

Also: Assembly Bill No. 915—An act to amend section 1552 of the Political Code, relating to the expenses of the superintendent of schools and his assistants;

Also: Assembly Bill No. 208—An act to add a new section to the Political Code, to be numbered 1618b, relating to the education of persons in tubercular sanatoriums and preventorium;

Also: Assembly Bill No. 834—An act to add a new section to the Political Code to be numbered 16104, relating to special leaves of absence and exchanges of teach-



ers, principals, and other persons in public school service holding positions requiring the certification of their qualifications in certain cases, and defining the powers of boards of school trustees and city, or city and county boards of education or high school boards of education in such cases;

Also: Assembly Bill No. 832—An act to amend sections 1 and 3 of an act entitled "An act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance, conduct and management of the same," approved June 6, 1913, relating to the establishment of a civic center at the public schoolhouses within the State and to the management, direction and control of said civic center;

Also: Assembly Bill No. 835—An act to amend "An act to provide that certain graduates of normal schools and teachers colleges shall be required to qualify to give elementary instruction in agricultural subjects," approved June 3, 1921; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bill No. 300 ordered on file for second reading.

Assembly Bills Nos. 915, 208, 834, 832, and 835 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 536—An act to add a new section to the Political Code, to be numbered 1607c, relating to the powers and duties of boards of school trustees and city boards of education and authorizing such boards to establish, maintain, and operate cafeterias in the schools under their jurisdiction;

Also: Assembly Bill No. 175—An act to amend section 1553 of the Political Code, relating to superintendents of schools;

Also: Assembly Bill No. 549—An act to amend section 1662 of the Political Code, and to add a new section to the Political Code to be numbered 1610a, relating to schools;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bills Nos. 536, 175, and 549 ordered on file for second reading.

#### ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations be amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—9; committee vote: Ayes—9.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 22 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 2, 3 and 7 of article IX thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—9.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 26 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 16—A resolution to propose to the

people of the State of California, an amendment to the constitution of said State by adding to article I thereof, a new section to be numbered 14½, relating to the taking of parcels of land by eminent domain where such border upon public improvements, has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 16 ordered on file.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 586—An act to provide for the purchase by the State of California of certain matured irrigation district bonds and coupons and to secure the State for the repayment thereof and to provide a method for securing such repayment, authorizing the California Bond Certification Commission or other State authority authorized so to do, to take over the management and the control of the financial affairs of such district and making an appropriation for such purposes.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title from and including the word "of" in line 2 of the title, and insert in lieu thereof the following: "under certain conditions of certificates of sale of property sold for delinquent assessments of irrigation districts, and for the disposition through the state land settlement board of property acquired by the state pursuant to the purchase of such certificates, and for the management by the California bond certification commission, under certain conditions, of irrigation districts in which the state has so acquired an interest in lands, and making an appropriation to carry out the provisions of this act."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out all from and including the word "whenever" down to and including the period after the word "act" in line 25 on page 2, and insert in lieu thereof the following:

The state board of control is hereby authorized and directed to purchase from any irrigation district in this state, under the circumstances and conditions and to the extent hereinafter specified, certificates of the sale of lands within such districts sold for delinquent assessments of such districts; *provided*, that no such purchase shall be made from any district as long as it is in default in the payment of any of its bonds or interest coupons thereof due and payable at the time this act shall be approved and that no such purchase shall be made from any district unless at the time of such purchase the district shall have outstanding bonds which have been certified by the state controller pursuant to an investigation by the California bond certification commission, as provided in the act creating said commission, approved June 13, 1913, as now or hereafter amended, and unless the property described in each certificate of sale so purchased was sold for an assessment levied in whole or in part for the payment of the interest on or principal of bonds so certified or to provide for a sinking fund for the payment of the principal of such bonds.

SEC. 2. In every irrigation district coming within the provisions of section 1 of this act the collector of the district shall each year immediately after the sale of land for delinquent assessments, compute the total amount for which lands have been struck off to the district as provided in section 44 of the California irrigation district act, and if said total amount, excluding penalties and costs, shall exceed fifteen per cent of the total amount of the levy of which said delinquent assessments are a part, the collector shall immediately forward to the state board of control a statement, showing the total amount of the assessments levied by the district the preceding year and the total amount for which land was struck off to the district as aforesaid and shall forward with such statement a copy of the delinquent list as published, with the assessments marked. In case any bond of an irrigation district has been certified by the state controller as provided in said act of 1913, or any interest coupon of any such bond, shall have been presented to the proper officer and shall not have been paid, and such district has not continued in default in the payment of interest on or principal of its bonds due and payable at the time of the approval of this act as provided above, the holder of such bond or coupon may file

with the secretary of the California bond certification commission a verified statement showing such facts, and said commission shall thereupon make an investigation of the affairs of such district and if it shall be found that the district is in default in the payment of interest on or principal of any of its bonds because of the failure of any officer or officers thereof to perform any duty or duties, the facts shall be submitted to the attorney general, who shall institute appropriate proceedings in the proper court to enforce the performance of such duty or duties; but if it shall be found that said district is so in default because it is holding certificates of sale of property sold for delinquent assessments levied in any year which delinquent assessments aggregate an amount in excess of fifteen per cent of the total amount of the assessments levied by the district in that year, said commission shall report such fact to the state board of control.

SEC. 3. Whenever the state board of control shall be informed by the collector of any district or by the California bond certification commission, as hereinbefore provided, that any irrigation district coming within the provisions of section 1 hereof is holding certificates of sale of property sold for delinquent assessments levied in any year, which delinquent assessments aggregate an amount in excess of fifteen per cent of the total amount of the assessments levied by said district in that year, said board shall ascertain from the state controller whether said district has outstanding bonds that have been certified by him as provided in said act of 1913, and, if so, the state board of control shall forthwith request the attorney general for an opinion as to the legality of said certificates of sale, and the attorney general shall thereupon examine the proceedings resulting in the issuance of said certificates and submit to the state board of control an opinion thereon, and if the attorney general shall find that said proceedings are in accordance with law, the state board of control shall forthwith select from the certificates of sale held by said district a sufficient number thereof so that the total amount of the delinquent assessments levied in any year and for the delinquency of which the land assessed was sold to the district shall be less than fifteen per cent of the total amount of the assessments levied by the district in that year, and shall purchase the certificates so selected and pay from the fund hereinafter provided for to the treasurer of the district the amount for which the land described in each of said certificates was sold to the district, together with all interest that may have accrued thereon, and the treasurer of the district shall thereupon endorse upon said certificate an assignment thereof in substantially the following form:

"This certificate is hereby sold and assigned to the State of California this \_\_\_\_\_ day of \_\_\_\_\_.

Treasurer."

Thereupon the State of California shall succeed to and have all the rights of the district under said certificate of sale. The state board of control shall notify the collector of the district that it has purchased for the state the certificates of sale so purchased, and the collector shall note upon the delinquent list of the district opposite the record of each such delinquent assessment that the certificate of sale therefor has been assigned to the state, and if and when any such property shall be redeemed as provided by law and the redemption money shall be paid to the collector, he shall forthwith transmit all of the money so paid to him to the state board of control, together with a statement showing the description of the property redeemed, the number of the certificate of sale covering such property, and the amount of the redemption money received by the collector, and the collector shall be liable on his official bond for the safe keeping and transmission of all redemption money so received as herein provided.

SEC. 4. In case any land described in any certificate of sale purchased by the state as herein provided shall not be redeemed within the time allowed by law for its redemption, the state board of control shall then forthwith demand, and the collector of the district shall make, as provided by law, a deed to the state of the property described in said certificate. The state board of control shall deliver all deeds so obtained by it to the state land settlement board, and thereafter the property described in such deed shall be available to public settlement under the provisions of an act entitled, "An act creating a land settlement board and defining its powers and duties and making an appropriation in aid of its operations", approved June 1, 1917, and any and all acts amendatory thereof and supplemental thereto, and the state land settlement board is hereby given full authority to dispose of any or all of said land in accordance with the provisions of said act.

SEC. 5. A deed issued to the state as herein provided shall vest in the State of California the absolute title to the land described in the deed, free and clear of all liens and encumbrances, including taxes and assessments of any kind or nature against said property which may be delinquent at the date of said deed, (except when the land is owned by the United States, in which case it is prima facie evidence of the right of possession), but thereafter the property described in said deed shall be subject to all taxes and assessments theretofore levied thereon in accordance with law, but not delinquent at the date of said deed, or thereafter levied thereon in accordance with law, and such taxes and assessments shall be paid from the revolving fund hereinafter created until said land is sold by the state land settlement board, but in any contract made by said board for the sale of any such land it shall



be provided that the purchaser thereof must pay all taxes and assessments that may thereafter become lawfully due against said property. Money received by the state land settlement board from the sales of such lands shall be promptly paid to the state treasurer, and shall be credited to the revolving fund hereinafter provided for.

SEC. 6. Whenever the total assessed valuation of the land acquired by the state in any irrigation district under the provisions of this act, together with the assessed value of the land in such district described in all the certificates of sale purchased by the state from said district, shall aggregate an amount in excess of twenty per cent of the total assessed valuation of the land within such district, as shown by the last equalized assessment roll of said district, the state board of control shall report such fact to the California bond certification commission provided for in the act of 1913 aforesaid, and thereupon said commission shall make an investigation of the affairs of said district and if in the judgment of said commission, the affairs of said district are not efficiently managed, the commission may so determine by an order duly adopted and entered on its minutes and may remove from office the directors of said district and may assume the management of the affairs of said district, in which case all the powers of the board of directors of said district shall forthwith vest in the California bond certification commission aforesaid, which shall then appoint a manager for said district, who shall have such powers in the conduct of the affairs of said district as the commission, acting as the board of directors of said district, may determine. It shall not be necessary for the commission to meet within or at the office of said district, but the manager so appointed shall maintain an office in or near the district at such place as the commission may select. The commission, when acting as herein provided, shall have the right to remove all or any of the officers of the district and appoint their successors. In case such commission shall assume the management of any district as herein provided, it shall retain such management until the total assessed valuation of the land within the district held by the state as herein provided, together with the land described in all certificates of sale purchased by the state from said district as herein provided, shall be less than an amount equal to ten per cent of the total assessed valuation of the lands within the district according to the last equalized assessment roll of said district, and thereupon the said commission shall call an election within said district at which officers of said district shall be elected as provided by law in the case of the organization of an irrigation district. The officers so elected shall qualify and take over the affairs of said district in the manner provided for an irrigation district newly organized, and thereupon the authority herein conferred upon said California bond certification commission with respect to said district shall cease.

SEC. 7. The sum of \_\_\_\_\_ dollars or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be expended by the state board of control in carrying out the provisions of this act. There is hereby created a fund which shall be designated as "The state irrigation district revolving fund," into which fund shall be paid from time to time out of the state treasury so much of said sum of \$ \_\_\_\_\_ as may be necessary, and into said fund shall also be paid all sums received by the state board of control for the redemption of property described in any certificate of sale acquired under the provisions of this act. All payments required herein to be made shall be made from said fund.

SEC. 8. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 358—An act to amend section 41 of the California Irrigation District Act, approved March 31, 1897, relating to notice that assessments are due and penalties for delinquency.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official plans and to appoint planning boards; describing the powers and duties of said planning boards, providing for the approval of plats; and providing that building permits shall conform to official plans.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

On page 6, line 27, of the printed bill, change the word "kept" to "keep".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 8, lines 27 and 28, of the printed bill, strike out the words "or public utility whether publicly or privately owned".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 11, line 48, of the printed bill, insert after the word "filed" the words "for record".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 12, line 14, of the printed bill, change the words "curb or light" to read "or curb".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 12, line 15, of the printed bill, strike out the words "water mains or".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 15, after line 3, of the printed bill, insert a new paragraph as follows :

In granting or sustaining any protest the legislative body may grant or sustain the same as to the entire future street line or lines proposed or only as to a portion thereof. As to any portion of such proposed future street line or lines concerning which a protest is not granted or sustained said legislative body may deny said protest or protests. Upon the denial of any such protest the said resolution shall immediately become finally effective. If no protests are filed as herein provided for, such resolution shall take final effect at midnight of the last day for filing such protest.

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 15, line 5, of the printed bill, change the word "filed" to the word "final".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 15, line 5, of the printed bill, after the word "filed" strike out the words "for record with the appropriate county recorder".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 15, lines 22, 23 and 24, of the printed bill, after the word "city" strike out the words "rather than a regulation of the use thereof by the said county or city and county or city under its police power".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 15, lines 25 and 26, of the printed bill, after the word "months" strike out the words "after actual notice of the adoption of said resolution or within three months".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 15, after line 40, of the printed bill, insert a new paragraph as follows:  
In the event that any owner of property lying within any of the lines set forth or described as future street lines in any resolution as herein provided for shall fail within the time herein specified to file a claim in the manner herein provided, such owner shall be conclusively deemed to have waived any such claim, but he shall not be deemed to have waived any title to the property within any such future street line or lines or any interest therein.

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 18, after line 44, of the printed bill, add a new section as follows:  
SEC. 34. Violation of any of the provisions of this act shall upon conviction be punishable as a misdemeanor.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 158—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 262—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "add a new" and insert in lieu thereof the word "amend".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after the word "section" insert the following: "thirty-six".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In line 1 of the title of the printed bill, strike out the words "to the" and insert in lieu thereof the word "of".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

In lines 1 and 2 of the title of the printed bill, strike out the following: "to be numbered thirty-six a,".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

In line 2 of the title of the printed bill, strike out the words "life insurance".

Amendment adopted.



## AMENDMENT NUMBER SIX.

On page 1, line 1, of the printed bill, strike out all said line after the period following the figure 1 and strike out lines 2 to 17, inclusive, and insert in lieu thereof the following:

Section 36 of the Civil Code is hereby amended to read as follows:

36. A minor cannot disaffirm a contract, otherwise valid, to pay the reasonable value of things necessary for his support, or that of his family, entered into by him when not under the care of a parent or guardian able to provide for him or them.

A minor cannot disaffirm a contract otherwise valid to perform or render services as actor, actress, or other dramatic services where such contract has been approved by the superior court of the county where such minor resides or is employed. Such approval may be given on the petition of either party to the contract after such reasonable notice to the other party hereto as may be fixed by said court, with opportunity to such other party to appear and be heard.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Strike out all of the printed bill, following the number "359" in line 3, page 1, and insert in lieu thereof the following:

No corporation shall issue stock or bonds except for money paid, labor done, or property actually received, and all fictitious increase of stock or indebtedness shall be void.

By complying with the following provisions, any corporation formed under the laws of this state and having a capital stock may increase its capital stock, or diminish the same to an amount which is not less than its indebtedness, or create or increase its bonded indebtedness, and any corporation formed under the laws of this state whose shares are without nominal or par value, or any corporation formed under the laws of this state and having no capital stock, except a corporation formed pursuant to the provisions of title XII, part IV, division 1 of this Code, may create a bonded indebtedness or increase the same, and two or more corporations formed under the laws of this state may create or increase a consolidated bonded indebtedness:

(1) A resolution authorizing such increase or reduction in capital stock or such creation or increase of bonded indebtedness and stating among other things the amount to which the capital stock is to be increased or diminished and the number of shares into which the capital stock as increased or diminished is to be divided and the par value thereof or the amount of the bonded indebtedness to be created, or the amount to which the bonded indebtedness is to be increased, shall be adopted by the affirmative vote of at least a majority of the directors or trustees of such corporation, at a regular meeting or at a special meeting called for that purpose, which resolution must be approved by the vote or written assent or assents of stockholders representing at least two-thirds of the subscribed capital stock of the corporation, or of a majority of the members if the corporation has no capital stock; if approved by the vote of stockholders or members, such vote may be had at a regular meeting of the stockholders or members or at a special meeting called for that purpose, and a resolution, containing a copy of the resolution adopted by the board of directors and setting forth the fact of the approval and adoption thereof by the stockholders or members, must be adopted thereat by the votes of the persons holding at least two thirds of the amount in value of the stock, that is to say by the votes of stockholders representing at least two thirds of the subscribed shares of the corporation, or by the votes of a majority of the members, if the corporation has no capital stock; in lieu of the approval of such resolution at a meeting of stockholders or members, such resolution may be approved by the written assent or assents of stockholders representing at least two-thirds of the subscribed shares of the corporation or by the written assent or assents of a majority of the members, if the corporation has no capital stock, which assent or assents shall contain a copy of such resolution and shall state the fact of the approval and adoption thereof by the stockholders or members and shall be filed with the secretary of the corporation; *provided*, that such assent may be executed and filed by the attorney-in-fact of any stockholder or member with the same effect as if executed and filed by his principal; *provided, further*, that

where the articles of incorporation or amended articles of incorporation provide for two or more kinds of classes of capital stock, the resolution of the board of directors shall identify the particular class or classes of stock to be increased or diminished and the amount by which the particular class or classes of stock is increased or diminished.

(2) Upon such approval of such increase or diminution of the capital stock or creation or increase of the bonded indebtedness being made in accordance with the provisions hereinabove set forth, there shall be made a certificate under the corporate seal and signed by the persons who, at the time of such execution, are, respectively, the president or vice president and secretary or assistant secretary of the corporation and by a majority of the directors or trustees holding office at such time, showing a compliance with the requirements of said provisions and containing a copy of such resolution of the board of directors or trustees, and if the resolution of the directors or trustees was approved at a meeting of the stockholders or members, the amount of stock represented or the number of members present at the meeting and the total vote in the affirmative by which such approval was accomplished, or if such resolution was approved by the written assent or assent of stockholders or members, the total amount of stock represented by the said written assent or assents so filed with the secretary, or if the corporation has no capital stock, the number of members filing written assents thereto. The certificate shall state the total number of subscribed shares of the capital stock of the corporation, or the total number of members, if the corporation has no capital stock, and shall be verified by the oath of the persons executing the same as president or vice president and secretary or assistant secretary, respectively; *provided*, that if, pursuant to the articles of incorporation or amended articles of incorporation of any corporation having no capital stock, the respective members thereof have unequal voting power, the affirmative vote or written assent of members representing a majority of the votes in such corporation shall be sufficient to adopt the resolution passed by the directors or trustees, and the certificate hereinabove provided for shall state the total number of votes in such corporation and the total number of votes cast in favor of such resolution or represented by written assents thereto, filed with the secretary of the corporation, in lieu of stating the total number of members of the corporation and the number of members thereof voting in favor of such resolution or filing written assents thereto.

(3) Any two or more corporations formed under the laws of this state may, by complying separately with the provisions of this section relating to the creation or increase of bonded indebtedness and by filing separate certificates, made and signed and sealed and verified as herein provided, create or increase a consolidated bonded indebtedness which shall be binding jointly and severally on such corporations, and which may be secured by a consolidated mortgage or deed of trust executed by all such corporations, mortgaging or conveying in trust all or any of the properties of all such corporations acquired or to be acquired.

(4) In each and every case the certificate must be filed in the office of the secretary of state, and thereupon the capital stock shall be so increased or diminished, or the bonded indebtedness or consolidated bonded indebtedness shall be created or increased accordingly. The secretary of state shall forthwith issue a certified copy of said certificate and transmit said copy to the county clerk of the county in which the principal place of business of the corporation was situated at the time said corporation was incorporated, which copy shall be filed by said county clerk upon payment of the fee prescribed by law; and such certificate or certificates so filed shall be, when said certified copy or copies are so filed, conclusive proof of such increase or diminution of capital stock or such creation or increase of bonded or consolidated bonded indebtedness and the validity of each thereof. A copy of such certificate, certified by the secretary of state, shall be filed by such corporation in the office of the county clerk of every county in which said corporation has or holds real property. Any corporation which shall fail to comply with the requirements of the preceding sentence shall be subject to the penalties and liabilities provided in section 290 of this code for a failure of corporations to file copies of their articles of incorporation with the county clerks of the counties in which they shall purchase, hold or locate real property.

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 690—An act to amend sections 290*b*, 290*c*, 290*d* and 290*e* of the Civil Code, relating to corporations.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and substitute in lieu thereof the following: "An act to amend sections 290b, 290c, 290d, 290e and 290f of the Civil Code, relating to corporations."

Amendment adopted.

## AMENDMENT NUMBER TWO.

Strike out all of line 3, page 1, of the printed bill, which follows the period, and all of lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and the words "articles of incorporation" on line 14, and substitute in lieu thereof the following:

"Any private corporation created and existing or authorized to be created under the provisions of title I, part IV, division I of the Civil Code may, if so provided in its articles of incorporation, issue shares of stock without any nominal or par value by stating in the articles of incorporation in lieu of the matters and things required by subdivision 6 of section 290 of the Civil Code:

(a) The number of shares without nominal or par value that may be issued by the corporation and if there be more than one class of stock, then the number of shares of common stock or of the several classes of common stock, and the number of shares of preferred stock or of the several classes of preferred stock: *provided, that in the event the articles of incorporation*".

Amendment adopted.

## AMENDMENT NUMBER THREE.

Strike out all of lines 1 to 9, inclusive, on page 2, of the printed bill, and insert in lieu thereof the following: "shares without nominal or par value and of such additional amounts as from time to time may by resolution of the board of directors of the corporation be transferred to its stated capital".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, before the word "subject" insert the figure "2" and a period.

Amendment adopted.

## AMENDMENT NUMBER FIVE.

Strike out all of line 12, page 2, of the printed bill, and substitute the following. "any stock without nominal or par value or class thereof, each share of such stock without".

Amendment adopted.

## AMENDMENT NUMBER SIX.

Strike out all of lines 26, 27, 28, 29, 30, 31, 32 and the words "of incorporation" in line 33, page 2, of the printed bill.

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 39, of the printed bill, strike out the words "with no" and insert in lieu thereof the word "without".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, line 40, of the printed bill, after the word "of" insert the word "stated".

Amendment adopted.

## AMENDMENT NUMBER NINE.

Strike out all of line 48, page 2, following the period and all of lines 49, 50, 51 and 52.

Amendment adopted.



## AMENDMENT NUMBER TEN.

On page 3, line 3, of the printed bill, insert after the word "corporation" the words "in excess of the amount of stated capital paid in at the time such debts were created".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 3, line 13, of the printed bill, after the word "and" insert the word "from".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 3, line 26, of the printed bill, strike out the word "divided" and insert in lieu thereof the word "dividend".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

Strike out all of line 29, page 3, of the printed bill, after the period and all of lines 30, 31, 32, 33, 34, 35, 36 and 37 and insert in lieu thereof the following:

For the purpose of fixing the fee prescribed by section 409 of the Political Code, for filing articles of incorporation of any corporation having shares of stock without nominal or par value, as provided in section 2906 of this code, there shall be taken as the basis for such fee an amount which shall equal the number of shares that may be issued multiplied by ten dollars.

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

Strike out all of the printed bill which follows the period in line 40, page 3, and insert in lieu thereof the following: "any private corporation heretofore or hereafter formed under the laws of this state and having shares without nominal or par value, may increase or diminish the number of shares which may be issued by amending its articles of incorporation in accordance with section 362 of this code. The provision of section 362 of this code prohibiting a corporation from increasing or diminishing its capital stock by amending its articles of incorporation shall not apply to an increase or diminution, in accordance with this section, of the number of shares which may be issued by a corporation having shares without nominal or par value, and such shares shall be considered as capital stock within the meaning of the provisions of section 362 prescribing the procedure for amending articles of incorporation."

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

Add a new section to the printed bill to be numbered "5" and to read as follows:

SEC. 5. Section 290f of the Civil Code is hereby amended to read as follows:

290f. Any private corporation heretofore or hereafter formed under the laws of this state and which is authorized to issue shares of capital stock having a par value may amend its articles of incorporation in the manner prescribed by section 362 of this code, for the purpose of providing for such number of shares of stock without any nominal or par value as it may desire to issue, by stating in its amended articles of incorporation the matters and things required by section 2906 of this code, excepting the amount of stated capital with which the corporation will begin business.

Any private corporation heretofore or hereafter formed under the laws of this state and which is authorized to issue shares without any nominal or par value may amend its articles of incorporation in the manner prescribed by section 362 of this code, for the purpose of providing for such number of shares of capital stock having a par value as it may desire to issue, by stating in its amended articles of incorporation the amount of its capital stock and the number of shares into which it is to be divided and the par value thereof.

In adopting amended articles, as authorized by this section, a corporation may also provide for any other amendments not contrary to law.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 60—An act to amend section 19 of the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to evidence.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 692—An act to amend section 2220 of the Civil Code, relating to the purposes for which trusts may be created.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 694—An act to repeal section 847 and 857 of the Civil Code, relating to trusts on real property.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 727—An act to amend section 453~~hh~~ of the Civil Code, relating to land value insurance corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 541—An act to amend sections 1, 2 and 3 of the "Usury Law," approved November 5, 1918, relating to legal rates of interest and providing for the submission of this act to a vote of the people.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, beginning with the words "An act" strike out all of the title and the bill and insert in lieu thereof the following:

An act to amend the usury law approved November 5, 1918, relating to legal rates of interest by the addition of twenty-one new sections and providing for the submission of this act to a vote of the people.

The people of the State of California do enact as follows:

SECTION 1. Legal rate of interest. Contract rate. The rate of interest upon the loan or forbearance of any money, goods or things in action or on accounts after demand or judgments rendered in any court of this state, shall be seven dollars upon the one hundred dollars for one year and at that rate for a greater or less sum or for a longer or shorter time; but it shall be competent for parties to contract for the payment and receipt of a rate of interest not exceeding twelve dollars on the one hundred dollars for one year and not exceeding that rate for a greater or less sum or for a longer or shorter time, in which case such rate exceeding seven dollars on one hundred dollars shall be clearly expressed in writing.

2. Limit on rate of interest that can be charged. No person, company, association or corporation shall directly or indirectly take or receive in money, goods or things in action, or in any other manner whatsoever, any greater sum or any greater value for the loan or forbearance of money, goods or things in action than at the rate of twelve dollars upon one hundred dollars for one year; and in the computation of interest upon any bond, note or other instrument or agreement, interest shall not be compounded, nor shall the interest thereon be construed to bear interest unless an agreement to that effect is clearly expressed in writing and signed by the party to be charged therewith. Any agreement or contract of any nature in conflict with the provisions of this section shall be null and void as to any agreement or stipulation therein contained to pay interest and no action at law to recover interest in any sum shall be maintained and the debt cannot be declared due until the full period of time it was contracted for has elapsed.

3. Rights of person paying illegal interest. Every person, company, association or corporation, who for any loan or forbearance of money, goods, or things in action shall have paid or delivered any greater sum or value than is allowed to be received under the preceding sections, 1 and 2, may either in person or his or its personal representative, recover in an action at law against the person, company, association or corporation who shall have taken or received the same, or his

or its personal representative, treble the amount of the money so paid or value delivered in violation of said sections, providing such action shall be brought within one year after such payment or delivery.

**Penalty for charging illegal interest.** Any person, company, association or corporation, who shall ask, demand, receive, take, accept, or charge more than twelve per centum per annum upon the sum of money actually loaned for the forbearance, use or loan thereof, when the repayment of the money loaned shall be secured by a mortgage, trust deed, bill of sale, assignment, pledge, receipt or other evidence of debt, except corporation bonds, and municipal and other public bonds, upon property, real or personal or by assignment of wages, or ask, demand, receive, take, accept, or charge more than an amount equal to five per cent so actually loaned and secured in all sums of one thousand dollars or less, and three per cent on all sums over one thousand dollars in full for all examinations, views, fees, appraisals, commissions, renewals made within one year from date of loan and charges of any kind or description whatsoever, except abstracts or certificates of title charges made under the Torrens land law or otherwise, in the procuring, making and transacting of the business connected with such loans, or who shall ask, demand, receive, take, accept or charge any fee, bonus or commission whatsoever for the use or loan or the procuring of such loan of any sum of money for a shorter period than six months when said loan is not secured by a mortgage or pledge upon real estate, or shall violate the provisions of sections 1 or 2 of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than twenty-five dollars nor more than three hundred dollars, or by imprisonment not more than six months, or by both such fine and imprisonment, and for each subsequent offense and conviction shall be punished by a fine not less than one hundred dollars nor more than five hundred dollars and by imprisonment not less than six months, nor more than one year. The penalties herein provided for the violation of this section and said sections 1 and 2 shall apply to and be imposed upon each member of any unincorporated company, association, or of any copartnership and upon each officer and director of a corporation who shall violate either of said sections.

**Sec. 4.** No person, copartnership or corporation shall engage in the business of making loans of money, credit, goods or things in action in the amount or to the value of three hundred dollars (\$300) or less, and charge, contract for or receive a greater interest than twelve per centum per annum therefor, except as authorized by this act and without first obtaining a license from the superintendent of banks hereinafter called the licensing official.

**Sec. 5.** Application for such license shall be in writing and shall contain the full name and address, both of the residence and place of business, of the applicant; and if the applicant is a copartnership, of every member thereof; or if a corporation, of each officer thereof; also the county and municipality, with street and number, if any, where the business is to be conducted. Every such applicant at the time of making such application shall pay to the licensing official the sum of one hundred dollars (\$100) as an annual license fee and in full payment of all expenses for examinations under and for administration of this act; provided, that if the license is issued for a period of less than twelve months, the license fee shall be prorated according to the number of months that said license shall run.

**Sec. 6.** The applicant shall also at the same time file with the licensing official a bond in which the applicant shall be the obligor, in the sum of one thousand dollars (\$1,000), with one or more sureties, whose liability as such sureties shall not exceed the sum of one thousand dollars (\$1,000) in the aggregate, to be approved by the licensing official, and said bond shall run to the State of California for the use of the state and of any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act. Such bond shall be conditioned that said obligor will conform to and abide by each and every provision of this act and will pay to the state and to any such person or persons any and all moneys that may become due or owing to the state or to such person or persons from said obligor under and by virtue of the provisions of this act.

**Sec. 7.** Upon the filing of such application and the approval of said bond and the payment of said fee the licensing official shall issue a license to the applicant to make loans in accordance with the provisions of this act for a period which shall expire the first day of January next following the date of its issuance. Such license shall not be assignable.

**Sec. 8.** If in the opinion of the licensing official the bond shall at any time appear to be insecure or exhausted or otherwise doubtful, an additional bond in the sum of not more than one thousand dollars (\$1,000) satisfactory to the licensing official shall be filed within ten days after notice to the licensee; and upon failure of the obligor to file such additional bond the license shall be revoked by the licensing official.

**Sec. 9.** The licensing official may, upon notice to the licensee and reasonable opportunity to be heard, revoke such license if the licensee has violated any provision of this act; and in case the licensee shall be convicted by a court a second time of a violation of section 13 of this act the licensing official shall revoke such



license; *provided*, that the second offense shall have occurred after a prior conviction; and thereafter no license shall be issued to such licensee, nor to the husband or wife of the licensee, nor to any copartnership or corporation of which he is a member or officer.

SEC. 10. The license shall be kept conspicuously posted in the place of business of the licensee.

SEC. 11. No person, copartnership or corporation so licensed shall make any loan provided for by this act, under any other name or at any other place of business than that named in the license. Not more than one place of business shall be maintained under the same license, but the licensing official shall issue more than one license to the same licensee upon the payment of an additional license fee and the filing of an additional bond for each license.

SEC. 12. Whenever the licensee shall change his place of business he shall at once give written notice thereof to the licensing official, who shall attach to the license his approval in writing of the change.

SEC. 13. The licensing official, for the purpose of discovering violations of this act, may either personally or by any person designated by him, at any time and as often as he may desire, investigate the loans and business of every licensee and of every person, copartnership and corporation by whom or by which any such loan shall be made, whether such person, copartnership or corporation shall act or claim to act as principal, agent or broker, or under or without the authority of this act; and for that purpose he shall have free access to the office or place of business, books, papers, records, safes and vaults of all such persons, copartnerships and corporations; he shall also have authority to examine under oath all persons whomsoever whose testimony he may require relative to such loans or business.

SEC. 14. The licensee shall keep such books and records in his place of business as in the opinion of the licensing official will enable the licensing official to determine whether the provisions of this act are being observed. Every such licensee shall preserve the records of final entry used in such business, including cards used in the card system, if any, for a period of at least two years after the making of any loan recorded therein.

SEC. 15. No licensee or other person, copartnership or corporation shall print, publish or distribute, or cause to be printed, published or distributed in any manner whatsoever any written or printed statement with regard to the rates, terms or conditions for the lending of money, credit, goods or things in action in amounts of three hundred dollars (\$300) or less, which is false or calculated to deceive.

SEC. 16. Every person, copartnership and corporation licensed hereunder may loan any sum of money not exceeding in amount the sum of three hundred dollars (\$300), and may charge, contract for and receive thereon interest at a rate not to exceed three and one-half per centum per month. Interest shall not be payable in advance or compounded and shall be computed on unpaid balances. In addition to the interest herein provided for, no further or other charge or amount whatsoever for any examination, service, brokerage, commission or other thing or otherwise shall be directly or indirectly charged, contracted for or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing or recording or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made or at any time thereafter. If interest or charges in excess of those permitted by this act shall be charged, contracted for or received, the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, interest, or charges whatsoever.

No licensee shall directly or indirectly charge, contract for or receive any interest or consideration greater than twelve per centum per annum upon the loan, use or forbearance of money, goods, or things in action, or upon the loan, use or sale of credit, of the amount or value of more than three hundred dollars (\$300). The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or as endorser, guarantor or surety for any borrower, or otherwise, to owe directly or contingently or both to the licensee at any time the sum of more than three hundred dollars (\$300) for principal.

SEC. 17. Every licensee shall:

Deliver to the borrower at the time a loan is made, a statement in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee, and the rate of interest charged. Upon such statement there shall be printed in English a copy of section 13 of this act;

Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made;

Permit payment of the loan in whole or in part prior to its maturity with interest on such payment to the date thereof;

Upon repayment of the loan in full mark indelibly every paper signed by the borrower with the word "paid" or "canceled," and release any mortgage, restore any pledge, cancel and return any note, and cancel and return any assignment given by the borrower as security.

SEC. 18. No licensee shall take any confession of judgment or any power of attorney. Nor shall he take any note, promise to pay or security that does not state the actual amount of the loan, the time for which it is made, and the rate of interest charged, nor any instrument in which blanks are left to be filled after execution.

SEC. 19. The payment of three hundred dollars (\$300) or less in money, credit, goods or things in action as a consideration for any sale, assignment or order for the payment of wages, salary, commissions or other compensation for services, whether earned or to be earned, shall be deemed a loan within the provisions of this act secured by such assignment; and the amount by which such assigned compensation exceeds such payment shall be deemed interest upon such loan from the date of such payment to the date such compensation is payable. Such loan and such assignment shall be governed by and subject to the provisions of this act.

SEC. 20. No assignment of or order for the payment of any salary, wages, commissions or other compensation for services, earned or to be earned, given to secure any such loan shall be valid unless the amount of such loan is paid to the borrower simultaneously with its execution; nor shall any such assignment or order, or any chattel mortgage or other lien on household furniture then in the possession and use of the borrower be valid unless it be in writing signed in person by the borrower; nor, if the borrower is married, unless it be signed in person by both husband and wife; *provided*, that written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least five months prior to such assignment, order, mortgage or lien.

Under any such assignment or order for the payment of future salary, wages, commissions or other compensation for services, given as security for a loan made under this act, a sum equal to ten per centum of the borrower's salary, wages, commissions or other compensation for services shall be collectable from the employer of the borrower by the licensee at the time of each payment of salary, wages, commissions or other compensation for services from the time that a copy of such assignment verified by the oath of the licensee or his agent, together with a similarly verified statement of the amount unpaid upon such loan, is served upon the employer.

SEC. 21. No person, copartnership or corporation, except as authorized by this act, shall directly or indirectly charge, contract for or receive any interest or consideration greater than twelve per centum per annum upon the loan, use or forbearance of money, goods or things in action, or upon the loan, use or sale of credit, of the amount or value of three hundred dollars (\$300) or less.

The foregoing prohibition shall apply to any person who has security for any such loan, use or forbearance of money, goods or things in action, or for any such loan, use or sale of credit, makes a pretended purchase of property from any person and permits the owner or pledgor to retain the possession thereof, or who by any device or pretense of charging for his services or otherwise seeks to obtain a greater compensation than is authorized by this act.

No loan for which a greater rate of interest or charge than is allowed by this act has been contracted for or received, wherever made, shall be enforced in this state, and every person in any wise participating therein in this state, shall be subject to the provisions of this act.

SEC. 22. Any person, copartnership or corporation and the several officers and employees thereof who shall violate any of the provisions of section 1, 8, 12, 13, or 18 of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment of not more than six months or by both such fine and imprisonment in the discretion of the court.

SEC. 23. This act shall not apply to any person, copartnership or corporation doing business under any law of this state or of the United States relating to banks, trust companies, building and loan associations, or to licensed pawnbrokers.

SEC. 24. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 25. Repeal of Civil Code sections relating to interest. Section 1917, 1918, 1919 and 1920 of the Civil Code and all acts and parts of acts in conflict with this act are hereby repealed.

SEC. 26. Title of act. This act whenever cited, referred to, or amended may be designated simply as the "usury law."

SEC. 27. This act shall be submitted to a vote of the people in the manner provided by and subject to the provisions of sections 1195, 1195a, 1195b and 1197 of the Political Code and such other provisions of law as may be applicable.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on

which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

That the title of said printed bill be amended by striking out in line 1 thereof the word "and" and inserting in lieu thereof a comma.

Amendment adopted.

## AMENDMENT NUMBER TWO.

That the title of said printed bill be amended by inserting in line 1 thereof following the word "four" a comma and the words "eight and nine".

Amendment adopted.

## AMENDMENT NUMBER THREE.

That the title of said printed bill be amended by striking out in line 7 thereof the comma following the word "amended" and the words "relating to number —" and all of lines 8 and 9 thereof.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

That in lines 8 and 9, page 1, of said printed bill, the words "Whenever any tract or subdivision of land shall be laid out into lots for the purpose of sale," be stricken out and that there be inserted in lieu thereof the following:

"For the purposes of this act the words 'subdivide' and 'subdivision' are hereby defined as the dividing for the purposes, whether immediate or future, of sale of a parcel or tract of land into five or more lots or the laying out of a private or public street, road or way for the purpose, whether immediate or future, of sale of two or more lots or parcels of land abutting thereon.

Whenever any tract or parcel of land shall be subdivided,"

Amendment adopted.

## AMENDMENT NUMBER FIVE.

That all of lines 46 to 52, inclusive, of page 5, of the printed bill, and all of lines 1 to 38, inclusive, of page 6 of said bill, and all of lines 47 to 52, inclusive, of page 6 of said bill, and all of lines 1 to 27 of page 7 of said bill, be stricken out.

Amendment adopted.

## AMENDMENT NUMBER SIX.

That there be inserted on page 7 of said printed bill, following line 27, the following:

Sec. 5. Section 8 of said act is hereby amended to read as follows:

Sec. 8. No person shall sell or offer for sale any lot or parcel of land as defined herein unless a map or plat thereof has been made, certified, endorsed, acknowledged, and filed in all respects as provided in this act, or was filed or recorded prior to the taking effect of this act and in accordance with the laws in force at the time it was so filed or recorded, and no person shall sell or offer for sale any lot or parcel of land by reference to any map or plat other than such recorded map or plat, or true and correct copy thereof.

Sec. 6. Section 9 of said act is hereby amended to read as follows:

Sec. 9. Every person who violates any of the provisions of this act is guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty-five dollars and not more than five hundred dollars, or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment, and every sale or contract for the sale of any parcel of land contrary to the provisions of this act shall be voidable at the option of the purchaser, and the recordation of any map or plat which is not executed and approved as herein required shall be null and void; *provided, however*, that any owner or owners of any such tract or subdivision, who prior to the taking effect of this act caused to be prepared proper maps or plats thereof in conformity with the provisions of the act mentioned in section 1 hereof, and thereafter, through inadvertence or excusable neglect, failed to record the same prior to conveying lots shown thereon may, within one year after this act takes effect, petition the superior court of the county wherein



such land is situate for an order permitting such map or plat to be filed and recorded as in said act provided; and the court may, upon the hearing of such petition, if satisfied that good cause exists therefor, make such order. A copy of the petition shall be served upon the county recorder at least ten days prior to such hearing, and a certified copy of such order, if any be made, shall be filed with the map.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 261—An act to amend section 629a of the Political Code, relating to group life insurance and valuation thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 739—An act to add a new section to the Civil Code, to be numbered 452b, relating to mutual benefit and life insurance associations, and providing that such associations shall not pay or agree to pay any remuneration for solicitation of membership applications until they have complied with section 609 of the Political Code, and shall have procured a certificate of authority from the Insurance Commissioner, and shall have complied with all the laws of this State applicable to such association.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by prescribing the number and fixing the salaries of such assistants and deputies; and making a supplemental appropriation to be applied toward the payment of such salaries during the seventy-ninth and eightieth fiscal years.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 3 of the title, insert after the word "of" the word "an".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the final "s" in the word "assistants".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, strike out the words "prescribing the number and".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

In line 5 of the title of the printed bill, strike out the final "s" in the word "assistants".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

In line 5 of the title of the printed bill, after the first "and" in said line, insert the words "of the chief".

Amendment adopted.

## AMENDMENT NUMBER SIX.

In line 5 of the title of the printed bill, strike out the word "deputies" and insert in lieu thereof the word "deputy".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

In line 5 of the title of the printed bill, strike out "and making a supplemental", and strike out all the balance of said title and insert in lieu thereof the following: "and providing for the manner of fixing of the salaries of the additional deputies."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 1, line 3, of the printed bill, strike out after the figures "472" remainder of line 3 and all of lines 4 to 17, inclusive, and insert in lieu thereof the following:

The attorney general may appoint one assistant, one chief deputy, and such additional deputies as he may deem necessary for the proper performance of the duties of such office. The annual salary of the assistant attorney general shall be four thousand five hundred dollars, the annual salary of the chief deputy shall be four thousand five hundred dollars, and the annual salary of each of such additional deputies shall be such as shall be prescribed by the attorney general, and such salaries shall be paid at the same time and in the same manner as the salaries of other state officers. The assistant, chief deputy and additional deputies shall be civil executive officers.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out all of lines 27 to 31, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office; prescribing the number and fixing the salaries thereof and making a supplement appropriation to be applied toward the payment of such salaries during the seventy-ninth and eightieth fiscal years.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 4 of the title, strike out the words "prescribing the number and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, after the word "salaries" insert the following: "of the clerks and providing the manner of fixing the salaries of the phonographic reporter, the stenographers and the service agent".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, strike out the word "thereof" and strike out all the balance of the title.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out the words "five clerks," and insert in lieu thereof the following: "such clerks as he may deem necessary,".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 4, of the printed bill, strike out the word "fifteen" and in lieu thereof insert the word "such".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 1, line 5, of the printed bill, strike out the period following the word "office" and insert in lieu thereof the following: "as he may deem necessary."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 1, line 6, strike out the comma following the word "clerks".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 1, line 6, strike out all of line 6 following the word "clerks", and insert in lieu thereof the following: "shall be one thousand eight hundred dollars. The annual salary of the phonographic reporter, and of the service agent, and of the stenographers shall be prescribed by the attorney general. The clerks, the phonographic reporter, the service agent and the stenographers shall be civil executive officers and their salaries shall be paid at the same time and in the same manner as salaries of other state officers. The service agent, two clerks and six of said stenographers, to be designated by the attorney general, shall be exempt from the provisions of the state civil service act, and shall hold their positions during the pleasure of the attorney general."

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 1 of the printed bill, strike out all of lines 7 to 23, inclusive.

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2 of the printed bill, strike out all of lines 1 to 5, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 641—An act to amend section 19b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to probation officers.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:



## AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, strike out all of section 19b and insert in lieu thereof the following:

SEC. 19b. Probation officer, three hundred fifty dollars per month, one chief assistant probation officer, two hundred seventy-five dollars per month, one assistant probation officer who shall act as collector, two hundred forty dollars per month, three assistant probation officers at two hundred twenty-five dollars per month each, one assistant probation officer who shall act as cashier-bookkeeper, two hundred twenty-five dollars per month; twelve assistant probation officers at two hundred ten dollars per month each, four assistant probation officers who shall act as stenographers, one hundred eighty-five dollars per month each, one assistant probation officer who shall act as stenographer, one hundred sixty-five dollars per month, and one assistant probation officer who shall act as file and information clerk at one hundred seventy-five dollars per month.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed bill, after the word "as", strike out the words "a detailed" and insert in lieu thereof the word "an".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, after the word "state", strike out the words "board of equalization" and insert in lieu thereof the word "controller."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, after the second word "the", strike out the word "ensuing" and insert in lieu thereof the word "current".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, strike out the word "ensuing" and insert in lieu thereof the word "current".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed bill, after the comma following the word "year", strike out the words "estimated receipts for the current fiscal year the estimated" and insert in lieu thereof the word "the".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 23, of the printed bill, strike out the words "the current" and insert in lieu thereof the word "previous".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 25, of the printed bill, after the word "institution", strike out the words "for the ensuing" and insert in lieu thereof the words "or other fund which the board of supervisors is empowered by law to create when he is requested to do so for the current".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, line 27, of the printed bill, after the comma following the first word "year", strike out the words "the estimated expenditures for the current fiscal year."

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 29, of the printed bill, after the word "affect", strike out the word "ensuing" and insert in lieu thereof the word "current".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 3, line 8, of the printed bill, after the word "fund", strike out the words "on the first Monday in July", and insert in lieu thereof the words "at the close of the previous fiscal year."

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 3, line 28, of the printed bill, after the period following the word "fund", insert the words "it shall be the duty of the county auditor or a deputy designated by him to attend the board's hearings on the matter contained in his tabulation and the preliminary budget and to furnish said board with any additional data or information it may require."

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 4, line 24, of the printed bill, after the word "allowing", strike out the words "five per cent."

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 4, line 25, of the printed bill, after the word "by", strike out the words "section 696 of this code" and insert in lieu thereof the word "law."

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 4, line 27, of the printed bill, after the word "than", strike out the words "fifty cents" and the parenthesis and figures "50¢" and insert in lieu thereof the words "seventy-five cents."

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 5, lines 8 and 9, of the printed bill, beginning after the word "expenditure" on line 8, strike out the words "or issuing such warrant."

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 5, line 13, of the printed bill, after the word "adopted", insert the words "or as thereafter increased from the unbudgeted reserve or by a transfer as herein provided".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 6, line 38, of the printed bill, after the word "state", strike out the words "board of equalization" and insert in lieu thereof the word "controller".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 6, of the printed bill, strike out all of lines 43, 44 and 45.

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 6, line 46, of the printed bill, strike out the figure "10" and insert in lieu thereof the figure "9".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 7, line 3, of the printed bill, strike out the figure "11" and insert in lieu thereof the figure "10".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 7, of the printed bill, add a new section to be numbered 11, and to read as follows: "11. This act shall take effect on the first day of January, 1928."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 1, 3, and 4 of article X thereof, relating to the State Board of Prison Directors.

## COMMITTEE AMENDMENTS.

During the reading of the constitutional amendment, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out the words "sections one, three, and", and insert in lieu thereof the word "section".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 6, of page 1, of the printed bill, strike out the word and numerals "sections 1, 3 and", and insert in lieu thereof the word "section".

Amendment adopted.

## AMENDMENT NUMBER THREE.

Beginning with the words "Section 1." in line 8, of the printed bill, strike out all of lines 8 to 29, inclusive.

Amendment adopted.

Senate Constitutional Amendment No. 11 read, ordered to print, engrossment, and on file.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to rights of persons accused of crime and the taking of depositions in criminal cases.

## COMMITTEE AMENDMENT.

During the reading of the constitutional amendment, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 22 to 26, inclusive, and insert in lieu thereof the following: "Legislature shall have power to provide for the taking,



in the presence of the party accused and his counsel, of depositions of witnesses, in criminal cases other than cases of homicide, when there is reason to believe that the witness, from inability or other cause, will not attend at the trial".

Amendment adopted.

Senate Constitutional Amendment No. 10 read, ordered to print, engrossment, and on file.

Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the comma following the word "penalty" strike out the words "the court shall" and insert in lieu thereof "such person shall suffer confinement in the state prison for life without parole".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the words "determine the same".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the comma following the word "guilty" insert the words "or conviction after trial by the court, a jury having been waived".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, strike out the words "determine the same" and insert in lieu thereof the words "fix the penalty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, strike out the word "exceptional" and insert in lieu thereof the word "special".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, after the end of the word "(sen)tence" strike out the period and insert in lieu thereof a colon.

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 28, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 28, of the printed bill, after the words "offense or" insert the words "a concealed deadly weapon at the time".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed bill, after the words "offense or" insert the words "a concealed deadly weapon at the time".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 34, of the printed bill, after the words "offense or" insert the words "a concealed deadly weapon at the time".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

After the paragraph ending with the word "convicted" in line 44, page 2, of the printed bill, add the following paragraph:

The words deadly weapon as used in this section are hereby defined to include any instrument or weapon of the kind commonly known as a blackjack, slung-shot, billy, sand club, sand bag, metal knuckles, any dirk, dagger, pistol, revolver or other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade and any metal pipe or bar used or intended to be used as a club.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 394—An act to amend sections 954 and 956 of the Penal Code, relating to pleadings and form of indictment, information, or complaint in criminal cases.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "same" strike out the word "transaction" and insert in lieu thereof the word "offense".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Strike out all lines 3 to 14, inclusive, of the printed bill, and insert in lieu thereof the following:

1506. An appeal may be taken to the district court of appeals by the people from a final order of a superior court made upon the return of a writ of habeas corpus discharging a defendant after his conviction, in all criminal cases prosecuted by indictment or information in a court of record, excepting criminal cases where judgment of death has been rendered, and in such cases to the supreme court; and in all criminal cases prosecuted by indictment or information in a court of record, where upon appeal or original application after conviction of the defendant an application for a writ of habeas corpus has been heard and determined in a district court of appeal, either the defendant or the people may apply for a hearing in the supreme court. Such appeal shall be taken and such application for hearing in the supreme court shall be made in accordance with rules to be laid down by the judicial council. If the people appeal, or petition for hearing in the supreme court

the defendant shall not be discharged from custody pending final decision upon the appeal or petition for hearing and he must be re-taken into custody if he has been discharged.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 254—An act to amend sections 2145, 2153*a*, 2187, 2189, 2090, and 2191 of the Political Code, relating to the Department of Institutions.

Bill read second time, ordered engrossed, and on file for third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 540—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 55 thereof, relating to funds and revenue of districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 863—An act confirming and validating the formation or organization and existence of reclamation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 865—An act confirming and validating the formation or organization and existence of irrigation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 383—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 44, 47 and 47½ thereof, relating to the rights of the owner of real property upon assessment sale and the sale of such real property and the rights of the purchaser thereof and the redemption of property sold at delinquent assessment sale.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 265—An act to amend the California Irrigation District Act by amending sections 13, 19, 19*b*, 22*b* and 25 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 266—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a section thereto, to be designated as section 27*b*, relating to the deposit of funds of irrigation districts in banks, the receiving of interest thereon, and the taking of security for the safe keeping thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 537—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 85, 86, 87 and 90 thereof, relating to the inclusion of land within districts after their organization.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 538—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 56 thereof, relating to interference by irrigation districts with property subject to public use.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 505—An act to amend sections 5 and 6 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1001—An act providing for the use of water and gas lines and appurtenances constructed within municipalities or unincorporated territory of a county under any street improvement act; and providing limitations on the granting of such use.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 385—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1893, as amended, relating to the powers of trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 507—An act to amend sections 4 and 7 of an act entitled "An act to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the constitution of this State, for the municipal taxes of such cities, and for the equalization and correction of such assessment by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the nonpayment of such taxes and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this act," approved June 6, 1912.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 544—An act to provide for the formation, management and dissolution of county police protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

#### AMENDMENT NUMBER ONE.

On page 5, line 39, of the amended printed bill, strike out the word "published" and insert in lieu thereof the following: "the second of said publications must be made".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 6, line 42, of the amended printed bill, strike out the word "police" and insert in lieu thereof the word "the".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 6, line 42, of the amended printed bill, strike out the words "fixed by them" and insert in lieu thereof the following: "of said police district".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 6, line 44, of the amended printed bill, strike out the words "town or" and insert in lieu thereof the word "police".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 6, line 45, of the amended printed bill, strike out the word "village" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 7, line 21, of the amended printed bill, strike out the word "limits" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 7, line 24, of the amended printed bill, strike out the word "limits" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 7, line 40, of the amended printed bill, strike out the word "limits" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 7, line 41, of the amended printed bill, strike out the word "limits" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 7, line 47, of the amended printed bill, strike out the words "unincorporated town (or village) of" and insert in lieu thereof the words "police protection district".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 7, line 48, of the amended printed bill, strike out the words "town or village" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 7, line 50, of the amended printed bill, strike out the words "town or village" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 8, line 1, of the amended printed bill, strike out the words "town or village" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 8, line 2, of the amended printed bill, after the word "therein" insert the word "in".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 8, line 29, of the amended printed bill, strike out the word "police".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 8, line 29, of the amended printed bill, strike out the words "unincorporated town or village" and insert in lieu thereof the words "said police protection district".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 8, line 36, of the amended printed bill, strike out the period following the word "value" and insert in lieu thereof a semicolon and the following: "but if a fraction of a cent occur it shall be taken as a full cent on a valuation of one hundred dollars".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 8, line 37, of the amended printed bill, strike out the word "of" following the word "roll" and insert in lieu thereof the word "by".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 8, line 44, of the amended printed bill, strike out the words "town or village" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 8, lines 44 and 45, of the amended printed bill, strike out the words "subject only to the order of" and insert in lieu thereof the following: "and shall be paid out upon warrants of the county auditor, which shall be drawn upon orders".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 8, lines 45 and 46, of the amended printed bill, strike out the words "town or village" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-TWO.

On page 8, line 50, of the amended printed bill, strike out the word "they" and insert in lieu thereof the words "the board of police commissioners".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 4, of the amended printed bill, strike out the word "department" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FOUR.

On page 9, line 6, of the amended printed bill, strike out the word "treasurer" and insert in lieu thereof the following: "treasurer in the manner provided in section eleven hereof".

Amendment adopted.



## AMENDMENT NUMBER TWENTY-FIVE.

On page 9, line 8, of the amended printed bill, strike out the words "officer or officers" and insert in lieu thereof the following: "member of any police commission".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SIX.

On page 9, line 9, of the amended printed bill, strike out the words "or their".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 33, of the amended printed bill, strike out the word "police".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 33, of the amended printed bill, after the word "limits" insert the following words: "of said police district".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-NINE.

On page 9, line 43, of the amended printed bill, strike out the word "count" and insert in lieu thereof the word "canvas".

Amendment adopted.

## AMENDMENT NUMBER THIRTY.

On page 10, line 10, of the amended printed bill, strike out the words "said town or village," and insert in lieu thereof the following: "the county in which said police district is situated."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-ONE.

On page 10, line 11, of the amended printed bill, strike out the word "thereof" and insert in lieu thereof the words "in said district".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-TWO.

On page 10, line 13, of the amended printed bill, strike out the words "town or village" and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-THREE.

On page 10 of the amended printed bill, strike out lines 31 and 32 and insert in lieu thereof the following:

SEC. 25. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 444—An act to amend section 653a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the publications of ordinances.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 88—An act to amend section 1465 of the Code of Civil Procedure, relating to provision for the support of the family.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 90—An act to amend section 978 of the Code of Civil Procedure, relating to appeals to superior courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 628—An act authorizing suits against the State, relating to certain real property and regulating the procedure therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 842—An act to amend section 113 of the Code of Civil Procedure, relating to jurisdiction of justice's court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 843—An act to amend section 1163 of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 897—An act authorizing the Director of the State Department of Agriculture to destroy records.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, as amended, after the words "Section 1.", strike out the word "The" and insert in lieu thereof the following: "Unless otherwise provided for by law, the"

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, as amended, strike out the word "may" and insert in lieu thereof the word "are".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended, strike out the word "be".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1176—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11j, embracing sections 373 to 373j, relating to a Department of Natural Resources.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, strike out the following "board of state parks" and insert in lieu thereof the following: "state park".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, strike out the word "parks" and insert in lieu thereof the word "park".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 34, of the printed bill, strike out the word "parks" and insert in lieu thereof the word "park".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3, line 17, of the printed bill, strike out the word "bodies" and insert in lieu thereof the word "officers".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 33—An act to amend section 3756 of the Political Code, relating to penalty on delinquent taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 442—An act to amend "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended, by adding a new section thereto, to be numbered section 25½, providing for the payment of certain work by special tax and authorizing the levy of special tax therefor.

Bill read second time, and ordered on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing,



refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file to retain its place on file.

Senate Bill No. 470—An act to amend section 1734c of the Political Code, relating to schools.

On motion of Senator Baker, Senate Bill No. 470 was passed on file.

Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 82 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Sharkey, further consideration of the motion to reconsider the vote whereby Senate Bill No. 846 was refused passage was continued until the next legislative day.

Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 524 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Lyon, Maloney, Murphy, Sharkey, Slater, Tubbs, Wagy and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act.

On motion of Senator Inman, Senate Bill No. 115 was passed on file.

Senate Bill No. 731—An act to provide for the establishment of set-back lines by any county, city or city and county along any present or proposed street or highway.

On motion of Senator McKinley, Senate Bill No. 731 was passed on file.

Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 372 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to amend section 6 of an act entitled "An act concerning the water front of the city and county of San Francisco," approved March 15, 1878, as amended, relating to the State Board of Harbor Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 49 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Rush, Slater, Tubbs, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 638—An act to amend the California Vehicle Act, approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 148, 151, and by adding thereto new sections to be numbered 19½ and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of this act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways.

On motion of Senator Breed, Senate Bill No. 638 was passed on file.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Christian, to introduce a bill entitled—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth

class—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent 1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and Weller—31.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Christian: Senate Bill No. 870—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class.

Bill read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Cobb, to introduce a bill entitled—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and Weller—30.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Cobb: Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hollister, to introduce a bill entitled—An act to create a Bureau of Narcotics under the direction of the State Board of Health, to define its powers and



duties, to create a State narcotic fund, and a revolving fund, to regulate the sale, dispensation and use of narcotic drugs, preparations and their derivations in the State of California; to provide penalties for the violation of this act; and to repeal certain sections of an act entitled "An act to regulate the sale and use of poisons in the State of California and provide a penalty for the violations thereof," approved March 6, 1907, and acts amendatory thereof; and all other acts and parts of acts in conflict with the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and Weller—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Hollister: Senate Bill No. 872—"An act to create a Bureau of Narcotics under the direction of the State Board of Health, to define its powers and duties, to create a state narcotic fund, and a revolving fund, to regulate the sale, dispensation and use of narcotic drugs, preparations and their derivations in the State of California; to provide penalties for the violation of this act; and to repeal certain sections of an act entitled 'An act to regulate the sale and use of poisons in the State of California and provide a penalty for the violation thereof,' approved March 6, 1907, and acts amendatory thereof; and all other acts and parts of acts in conflict with the provisions hereof."

Bill read first time, and referred to Committee on Governmental Efficiency.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ingram, to introduce a bill entitled—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto, and repealing acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and Weller—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS (RESUMED).

By Senator Ingram: Senate Bill No. 873—"An act to provide for the impounding and utilization of the waters of the American River

for flood control, river flow control and equaton, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto, and repealing acts inconsistent herewith."

Bill read first time, and referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Canepa, to introduce a bill entitled—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and Weller—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Canepa: Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class.

Bill read first time and referred to Committee on County Government.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Maloney moved to reconsider the vote whereby Senate Bill No. 233 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 233 was passed carried by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and Weller—31.

NOES—None.

On motion of Senator Maloney, Senate Bill No. 233 was ordered on third reading file.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

On motion of Senator Baker, Senate Bill No. 610 was passed on file.

Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare.

On motion of Senator Jones, H. C., Senate Bill No. 570 was passed on file.

Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein."

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 430 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 9, line 7, of the printed bill, after the word "before" strike out the words "first Monday in September" and insert in lieu thereof the words "the fifteenth day of July".

AMENDMENT NUMBER TWO.

On page 9, line 10, of the printed bill, after the word "supervisors" insert the words "and the county auditor".

AMENDMENT NUMBER THREE.

On page 9, line 24, of the printed bill, after the word "before" strike out the words "the second Monday of September" and insert in lieu thereof the following: "the fifteenth day of July"

AMENDMENT NUMBER FOUR.

On page 10, line 49, of the printed bill, after the word "the" strike out the words "first Monday in September" and insert in lieu thereof "twentieth day of July".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 430, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Jones, H. C., adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 5—An act to provide for the organization and creation of improvement districts within irrigation districts organized under the "California Irrigation District Act"; to provide for the construction of improvements therein, and for the levy of assessments on the lands of such improvement districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Waggy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



## PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Allen, J. M., moved to refer Senate Bill No. 345 as amended March 21, 1927, to Senator Hurley, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended, after the word "attorney" strike out the comma and add the following: "and the sheriff."

## AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, as amended, strike out the word "amendments" and insert in lieu thereof the following: "any act amendatory thereof or supplemental".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 345, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, Special Committee.

Report read, and on motion of Senator Allen, J. M., adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class.

On motion of Senator Mueller, Senate Bill No. 66 was passed on file.

## REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and on motion of Senator Inman ordered printed in the Journal:

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

*To the Senate of the State of California.*

Your committee appointed pursuant to resolution passed on March 10, 1927, to investigate alleged infractions of section 421a of the Civil Code, have had the same under consideration and respectfully report:

1. Your committee finds that in the latter part of October, 1925, the Modern Woodmen of America deposited in the People's National Bank of Los Angeles the sum of seventy-five thousand (\$75,000.00) dollars. That on the eighth day of May, 1926, the sum of twenty-five thousand (\$25,000.00) dollars was withdrawn. That the next withdrawal was ten thousand (\$10,000.00) dollars in the early part of January, 1926, and that the balance has remained since that date at forty thousand (\$40,000.00) dollars.

Your committee further found that the above mentioned People's National Bank paid to Ben L. Goodheart, State representative of the Modern Woodmen of America, one and one-half ( $1\frac{1}{2}$ ) per cent on the balances remaining in the said bank during said times. That the sum of one-half ( $\frac{1}{2}$ ) of one (1) per cent was retained by the said bank with which to pay for the premium on a bond required by the said Modern Woodmen of America. That two (2) per cent per annum was paid to the Modern Woodmen of America on the above mentioned balances.

2. Your committee further found that the said Modern Woodmen of America opened an account in the National City Bank of Los Angeles on June 16, 1925, by depositing the sum of one hundred twenty-five thousand (\$125,000.00) dollars, which amount remained with said bank until March 6, 1926, at which time the sum of twenty-five thousand (\$25,000.00) dollars was withdrawn. That the sum of one hundred thousand (\$100,000.00) dollars remained with said bank until March 19,

1926, at which time the sum of twenty-five thousand (\$25,000.00) dollars was withdrawn. That the balance of seventy-five thousand (\$75,000.00) dollars remained in said bank until April 6, 1926, at which time the sum of fifty thousand (\$50,000.00) dollars was withdrawn. That the sum of twenty-five thousand (\$25,000.00) dollars remained with said bank until May 8, 1926, at which time the balance of twenty-five thousand (\$25,000.00) dollars was withdrawn and the account closed.

That during the above mentioned times the said National City Bank paid to Ben L. Goodheart, State representative of the Modern Woodmen of America, the sum of one and one-half (1½) per cent on said balances. That said bank retained one-half (½) of one (1) per cent with which to pay the premium on a bond required by the said Modern Woodmen of America, and paid the sum of two (2) per cent interest to the said Modern Woodmen of America.

3. Your committee further finds that the commissions paid to said Ben L. Goodheart by the above mentioned banks were paid without the knowledge or consent of the said Modern Woodmen of America, which organization, so far as this committee is informed, was entirely without knowledge of said transactions.

Your committee reports that the said Ben L. Goodheart appeared before said committee, but declined to testify on the ground that such testimony might tend to incriminate him, the said Ben L. Goodheart.

Your committee respectfully suggests that a copy of this report be forwarded to the State Department of Insurance and to the Attorney General, with the request that such appropriate legal action be taken as to them may seem appropriate in the premises.

Respectfully submitted,

INMAN, Chairman.  
INGRAM,  
ALLEN, J. M.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a and 11 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof.

On motion of Senator Chamberlin, Senate Bill No. 687 was passed on file.

Senate Bill No. 232—An act to amend section 294 of the Penal Code, relating to custody of dead bodies.

On motion of Senator McKinley, Senate Bill No. 232 was passed on file.

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of article IV, relating to the expenditure of public money in State aid.

In the absence of the author, Senate Constitutional Amendment No. 21 was ordered passed, on the file.

Senate Bill No. 448—An act to amend the title and section 1 of an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 448 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Tabbs, and Waggy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 45—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, so as to prohibit the acceptance of more than one deposit as a fee for the same position.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 45 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tabbs, Waggy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR JONES, RAY, IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Senator Jones, Ray, of the Sixth District was called to the chair.

Senate Bill No. 43—An act to amend section 18 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by providing for penalties for violations of the said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 43 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones,



H. C. Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the license fees to be paid by licensed employment agencies and surety bonds required of them.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 41 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, and Weller—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 27—An act to amend section 647 of the Penal Code, defining and punishing the crime of vagrancy.

On motion of Senator Cobb, Senate Bill No. 27 was passed on file.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works.

On motion of Senator Nelson, Senate Bill No. 823 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

On motion of Senator Allen, N. M., Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

On motion of Senator Boggs, Senate Bill No. 237 was passed on file.

Senate Bill No. 194—An act to amend section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 194 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 841—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 841 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Sharkey, Slater, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8, and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 315 was passed on file.

Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 478 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 483—An act to amend section 411 of the Code of Civil Procedure of the State of California, relating to the service of summons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 483 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 484—An act to amend section 563a of the Penal Code, relating to false entries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 484 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 543—An act to amend section 791 of the Political Code, relating to the number of notaries public in counties of the second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 543 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 592—An act to amend section 494 of the Civil Code of the State of California, relating to the sale of property and franchises of railroad corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 592 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson,



Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Tubbs, Waggy, and Weller 28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 178—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof.

Bill read third time.

1 MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 178 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the period, insert a semicolon and add the following: "provided, that this act shall not apply to any auto camp operated or maintained by any county or municipality."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 178, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 90 to Senator Tubbs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 7, of the printed bill, as re-engrossed, strike out the word "eighty" and in lieu thereof insert the word "sixty-five".

AMENDMENT NUMBER TWO.

On page 5, line 8, of the re-engrossed bill, strike out the word "Twenty".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 90, with instructions to amend, respectfully reports the same back, amended as per instructions.

TUBBS, Special Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print and re-engrossment.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Weller: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 11 of article VI thereof, relating to municipal courts.

Referred to Committee on Constitutional Amendments.

By Senator Handy: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 6½, providing for the appointment of persons to act as judges of superior courts, and justices of the district courts of appeal and of the Supreme Court, and fixing their compensation, terms of office and qualifications.

Referred to Committee on Constitutional Amendments.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to poll-lists and tally-lists, to add a new section 1174a to the Political Code, relating to roster and poll-lists, and to repeal section 1229 of the Political Code.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Assembly Bill No. 303 to Senator Sharkey, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 40 and 41 and insert in lieu thereof:  
SEC. 3. Section 1229 of the Political Code is hereby amended to read as follows: 1229. The ballot clerk, who has charge of the precinct index to the register or affidavits of registration, must write in the ruled space in front of the name of the elector the word "voted" for each elector who votes.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 303, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 808—An act to amend section 4463 of the Political Code, relating to newspapers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 808 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wagy, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 573—An act to amend sections 224, 226, and 227 of, and to add a new section to be numbered 224m, to the Civil Code, relating to adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 573 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Slater, Tubbs, Wagy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations;

Also: Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also: Senate Bill No. 200—An act to amend sections 1, 3 and 8 and add a new section to be known as 3a of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, as amended;

And reports the same have been correctly engrossed.

JONES, RAY, Chairman.

##### PRESENTATION OF PETITIONS—(OUT OF ORDER).

The following petitions were presented, out of the regular order, and ordered printed in the Journal:

By Senator Kline:

WHEREAS, The city of Los Angeles has caused to be introduced in the Legislature, Assembly Bills 1083, 1084 and 1093 and Senate Bills 729, 730 and 732 for the purpose of condemning power-resources now devoted to the service of Riverside County and other interior counties; and

WHEREAS, This chamber of commerce protested this same action when the city of Los Angeles caused the so-called Lyon Bill to be introduced in the 1923 Legislature; and

WHEREAS, This chamber believes that the passage of such or similar legislation would be a detriment and a hardship to the people of this and other interior counties; now, therefore, be it



*Resolved*, That this, the Riverside County Chamber of Commerce, does hereby protest the passage of the above-mentioned bills and urges the representatives in the State Legislature to vigorously protest them.

R. YOUNGLOVE, Vice President.

Attest: JAMES L. DAVIS, Secretary.

Also:

*Be it resolved*, That we approve of Assembly Bill No. 54, which is now pending before the Legislature of the State of California, and which authorizes and empowers any municipal corporation in the State of California to acquire lands, and construct and complete improvements thereon necessary and convenient for the maintenance of airports, etc.

We hereby urge our representatives in the State Legislature to support said Assembly Bill No. 54.

RIVERSIDE COUNTY CHAMBER OF COMMERCE.

R. YOUNGLOVE, Vice President.

Attest: JAMES L. DAVIS, Secretary.

### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations.

On motion of Senator Canepa, Senate Bill No. 666 was passed on file.

### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 19 of article VI thereof, relating to powers of judges in charging juries—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Constitutional Amendment No. 8 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 371—An act to add a new section to the Penal Code, to be numbered 1275, relating to bail bonds;

Also: Senate Bill No. 370—An act to amend section 1280 of the Penal Code, and to repeal section 1280b of the Penal Code, relating to bail bonds and justification of sureties thereon;

Also: Senate Bill No. 369—An act to amend section 1280a, of the Penal Code, relating to bail bonds, providing that bail bonds shall constitute lien on property, and providing for the filing of notice with the county recorder, the justification of sureties on bonds, and for subsequent release of lien by the court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

BAKER, Chairman.

Senate Bills Nos. 371, 370 and 369 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 540—An act to control and regulate the possession, sale and use of machine guns; providing for the registration of sales of machine guns; prohibiting the possession and use of machine guns, except by lawfully authorized persons, and to provide for their confiscation and destruction in certain cases; prohibiting the ownership, use or possession of machine guns by certain classes of persons; authorizing the granting of licenses to possess or carry machine guns; to provide for the licensing of retail dealers of such weapons—has

had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bill No. 540 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof;

Also: Senate Bill No. 368—An act to amend section 1288 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury;

Also: Senate Bill No. 413—An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote—Ayes 7; absent—2.

BAKER, Chairman.

Senate Bills Nos. 412, 368 and 413 ordered on file for second reading.

#### ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 523—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division first of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; noes—4; absent—1.

WAGY, Chairman.

Senate Bill No 523 ordered on file for second reading.

#### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale—has had the same under consideration and respectfully reports the same back, and asks that the amendments be adopted, and that it be re-referred to Committee on County Government.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Senate Bill No. 689 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 507—An act to amend section 2322r8 of the Political Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class;

Also: Senate Bill No. 449—An act to amend sections 4039 and 4076 of the Political Code, relating to claims against the county and records thereof;

Has had the same under consideration, and respectfully reports the same back with

amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Senate Bills Nos. 507 and 449 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 688—An act to amend section 204e of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties where there is a secretary of the judges of the superior court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Senate Bill No. 688 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Senate Bill No. 326 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 325—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof and by adding two new sections to be known as section 84 and section 141 to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Senate Bill No. 325 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 29—An act to amend section 4256 of the Political Code, relating to the salaries, fees, and compensation of county officers of the twenty-seventh class;

Also: Assembly Bill No. 202—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class;

Also: Assembly Bill No. 559—An act to amend section 4269 of the Political Code, relating to salaries, fees, and expenses of county officers of counties of the fortieth class;

Also: Assembly Bill No. 899—An act to amend section 4287 of the Political Code, relating to fees and salaries of county and township officers in counties of the fifty-eighth class;

Also: Assembly Bill No. 939—An act to amend section 4048 of the Political Code, relating to bids and prices on county supplies, printing and advertising;

Also: Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bills Nos. 29, 202, 559, 899, 939 and 1006 ordered on file for second reading.



Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 28—An act to amend section 2322x27 of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies, and employees, in counties of the thirty-seventh class;

Also: Assembly Bill No. 95—An act to amend section 2322x18 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors, in counties of the eighteenth class;

Also: Assembly Bill No. 96—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 113—An act to amend section 4239 of the Political Code, relating to salaries, fees and expenses of officers of counties of the tenth class;

Also: Assembly Bill No. 203—An act to amend section 2322x23 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the twenty-third class;

Also: Assembly Bill No. 287—An act to amend section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, said section relating to salaries of county librarians in counties of the tenth class;

Also: Assembly Bill No. 289—An act to amend section 19x10 of the "Juvenile Court Law" approved June 5, 1915, as amended, relating to the salaries of the probation officer and assistants and deputies in counties of the tenth class;

Also: Assembly Bill No. 513—An act to amend section 2322x10 of the Political Code, relating to salaries, fees and expenses of horticultural commissioners, deputies, inspectors and clerks in counties of the tenth class;

Also: Assembly Bill No. 555—An act to amend section 4095 of the Political Code, relating to the duties of county auditors;

Also: Assembly Bill No. 514—An act to amend section 2322x52 of the Political Code, relating to fees and salaries of the horticultural commissioner and his assistants in counties of the fifty-second class;

Also: Assembly Bill No. 558—An act to amend section 4263 of the Political Code, relating to the salaries, fees, and expenses of the county officers of counties of the thirty-fourth class.

Also: Assembly Bill No. 566—An act to amend section 19x41 of the "Juvenile Court Law" approved June 5, 1915, as amended, relating to salary of probation officer in counties of the forty-first class;

Also: Assembly Bill No. 624—An act to amend section 2322x7 of the Political Code, relating to the salary of the horticultural commissioner and inspectors in counties of the seventh class;

Also: Assembly Bill No. 641—An act to amend section 2322x37 of the Political Code, relating to the salaries of employees in counties of the thirty-seventh class;

Also: Assembly Bill No. 888—An act to amend section 4243 of the Political Code, relating to salaries of copyists appointed by the recorder;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bills Nos. 28, 95, 96, 113, 203, 287, 289, 513, 555, 514, 558, 566, 624, 641 and 888 ordered on file for second reading.

#### ON ELECTIONS

SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 88—An act to amend section 1094 of the Political Code, relating to registration of electors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

FELLOM, Chairman.

Senate Bill No. 88 ordered on file for second reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 264—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor and to repeal all conflicting acts or parts of acts;

Also: Assembly Bill No. 570—An act to amend section 1600 of the Political Code, relating to persons employed in public school service.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 264 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 570 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article IV thereof to be numbered 25 $\frac{1}{2}$ , relating to boxing and sparring matches or exhibitions.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Constitutional Amendment No. 28 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 22—A resolution proposing to the people of the State of California an amendment to section 23a of article IV of the constitution of the State of California, relating to compensation of members of the Legislature.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Constitutional Amendment No. 22 read, and referred to Committee on Constitutional Amendments.

#### ADJOURNMENT.

At one o'clock p.m., on motion of Senator Crowley, the President declared the Senate adjourned until eleven o'clock a.m., Monday, March 28, 1927.

#### IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, March 28, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—38.

Quorum present.

## PRAYER.

Prayer was offered by the chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 25, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

Senator Swing was, on motion of Senator Fellom, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the junior English and commercial classes of St. Joseph Academy, Sacramento, California, as follows: Julia Cavanaugh, Alice Connelly, Betty Davis, Mary Doran, Clare Drysdale, Eleanor Flint, Cecilia Flynn, Beatrice Fugazi, Catherine Harrigan, Beata Hobrecht, Marian Holzworth, Lillian Donovan, Josephine Kelley, Catherine Lynn, Lorraine Lewis, Margaret Maguire, Blanche Meredith, Alice McBride, Lillian McDougall, Irene McGuire, Lorraine McLain, Ruth Monez, Marie Moriarity, Marie Palmiter, Hilda McFarland, Catherine Shannon, Catherine Steel, Christine Sutter, Cosyra Guidotti, Vera Lee Kennedy, Velma Murphy, Olive Bradley, Rita Scott, Monica Rypzynski, Irma Pignalia, Irene Chorn, Phyllis Howard, Charlotte Barner, Edith Criss, Doris Davey, Viola Fratis, Dorothy Beckwith, Iola Mullen, Berta Von Euw, Violet Sweeney, Evelyn Alvernaz, Josephine Riola, and Hannah Lyons; also Sister Mary Benedicta, Sister Mary Evangelist, and Sister Mary Elizabeth.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge S. L. Strother of Fresno, California, and Mr. and Mrs. S. S. Cobb of Fresno, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Josephine McCann of Martinez, California; Mrs. Managle of Sacramento, California, and Mrs. Jack Soares of Concord, California.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Charles F. Craig of Oakland, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Congressman Clarence F. Lea of Santa Rosa, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge Leonard Wilson and Daley S. Stafford.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Mrs. Mattie Chandler, mayor of Richmond, California, and former Mayor W. W. Scott and Mrs. Scott of Richmond, California.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Franklin Swart, district attorney of San Mateo, California.



On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to G. H. Benkendorf of Modesto, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Robert B. Borland, J. W. McClellan, Raymond Cloys and George W. Winkelman of Martinez, California.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

March 25, 1927.

*To the Senate of the State of California.*

Senate Bill No. 202 is herewith returned without my approval.

This bill was based in part upon an Illinois statute, approved in 1891, but goes much farther than the Illinois act, and eliminates certain safeguards which that act provides. It seeks to add several sections to the Civil Code, providing a method of incorporation by trustees holding property in trust for the establishment of a library.

I am convinced that the specific case which this bill is designed to meet is a very worthy one. I am not inclined, however, to favor the making of new laws for the sole purpose of meeting a special situation, until every endeavor has been made to cover the case by a statute broad enough to make it possible of very general application. In this particular bill there are certain features which, in my estimation, would not only prevent it from becoming of general use, but would render it objectionable even as to the case which it is designed to meet.

The bill purports to be retroactive in its effect, applying to trusts heretofore created as well as those hereafter created. The trustees could incorporate for purposes far broader than those granted to them in the instrument creating the trust, enjoying the powers of a private corporation including the power specifically granted by the bill to issue bonds secured by the trust property.

I am advised that any attempt to apply the provisions of this bill to trusts heretofore existing would be invalid and as to trusts hereafter created I seriously question the advisability of conferring powers upon the trustees which will permit them to engage in activities probably entirely foreign to the thoughts and desires of the donor.

I am further advised that the bill is defective in the manner in which it provides for the issuance of securities. Compliance with the Corporate Securities Act of 1917 as amended in 1919, is required. Important amendments were added to this act in 1921, 1923 and 1925, but these amendments are not incorporated by reference into the bill.

If the present law does not make provision for an appropriate form of corporation for the establishment of privately endowed libraries, museums, art galleries and similar institutions, it is to be hoped that such a law may be considered at this session of the Legislature. However, I feel it my duty to withhold approval of Senate Bill No. 202 for the reasons above set forth.

C. C. YOUNG, Governor.

The original of the foregoing message received from the Governor on March 25, 1927.

J. A. BEEK, Secretary of Senate.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 349—An act to add a new chapter to be numbered chapter 11a embracing section 2980 to division III, part I, title XIV, of the Civil Code, relating to conditional sales:

Also: Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration and burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners:

Also: Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16r4 consecutively to 16r58 to and to amend sections 16 and 17 of an act entitled "An act to establish a standard of weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended; And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 748—An act to amend section 453 of the Civil Code, relating to mutual benefit and life insurance associations, and the manner in which and the conditions upon which such associations may do business in this State;

Also: Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act," relating to registration fees;

Also: Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914;

Also: Senate Bill No. 696—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 607—An act to authorize and empower the Director of Natural Resources to close to fishing and camping any area in any State park or forestry area or fish and game district;

Also: Senate Bill No. 608—An act to amend section 637 of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 535—An act to amend section 628 of the Penal Code, relating to fish and game;

Also: Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended, relating to fish and game districts;

Also: Senate Bill No. 553—An act to reserve from sale certain State lands, being the northeast quarter of the southwest quarter of section thirty-two, township eight north, range four west, and the west fifty-four and twenty-four hundredths acres of lot two of northwest quarter of section five, township five north, range twelve east, San Bernardino base and meridian, in San Bernardino County, and providing for the use thereof;

Also: Senate Bill No. 358—An act to amend the California Irrigation District Act, approved March 31, 1897, by adding a new section to be numbered 41c, relating to payment of assessments in two installments, and repealing an act inconsistent herewith;

Also: Senate Bill No. 158—An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements;

Also: Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings;

Also: Senate Bill No. 692—An act to amend section 2220 of the Civil Code, relating to the purposes for which trusts may be created;

Also: Senate Bill No. 694—An act to repeal sections 847 and 857 of the Civil Code relating to trusts on real property;

Also: Senate Bill No. 727—An act to amend section 453hh of the Civil Code, relating to land value insurance corporations;

Also: Senate Bill No. 261—An act to amend section 629a of the Political Code, relating to group life insurance and valuation thereof;

Also: Senate Bill No. 254—An act to amend sections 2145, 2153a, 2187, 2189, 2090, 2191, and 2192 of the Political Code, relating to the Department of Institutions;

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 19 of article VI thereof, relating to powers of judges in charging juries;

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article I thereof, a new section to be numbered 14½, relating to the taking of parcels of land by eminent domain where such border upon public improvements;

Also: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 2, 3 and 7 of article IX thereof;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined the following Senate Bill No. 137—An act to amend section 4300g of the Political Code, relating to witness fees;

Also: Senate Bill No. 125—An act to amend section 51 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 8—An act to amend sections 1 and 2 of an act entitled "An act to provide for a general system based on investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the willful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to the appointment and salaries of the State Civil Service Commissioners;

Also: Senate Bill No. 500—An act to amend sections 983, 984 and 985 of the Code of Civil Procedure and to add nine new sections to said code to be numbered respectively 986, 987, 988, 988a, 988b, 988c, 988d, 988e, 988f, 988g, and 988h, relating to appeals from municipal courts;

Also: Senate Bill No. 304—An act authorizing municipal corporations to expend money for advertising or publicity purposes;

Also: Senate Bill No. 219—An act to be known as the "Bovine Tuberculosis Law" of California; to regulate the sale and restrict the use of tuberculin; to provide for the approval of veterinarians; to regulate the sale of milk and products of milk for live stock feeding; to regulate the importation, transportation and exhibition of cattle; to provide for the eradication of bovine tuberculosis by areas; to provide for the identification, branding and disposal of tuberculous animals; to provide regulations for the slaughter of tuberculous animals; to prescribe the duties of the Director of Agriculture in relation to this act including the making of rules and regulations to carry out the provisions of this act; to prescribe penalties for violation of the provisions hereof; and to repeal all acts or parts of acts in conflict herewith;

Also: Senate Bill No. 205—An act to cure defects in maps or plats filed for record prior to January 15, 1927, and in deeds or conveyances referring to such maps;

Also: Senate Bill No. 248—An act to add a new section to the Code of Civil Procedure, to be numbered 953d, relating to notices of entry of judgments and orders;

Also: Senate Bill No. 249—An act to amend section 1875 of the Code of Civil Procedure, relating to judicial notice;

Also: Senate Bill No. 287—An act to amend section 5 of an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, as amended, relating to the granting of certificates of public convenience and necessity to foreign corporations;

Also: Senate Bill No. 81—An act to amend sections 8 and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California and



providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to narcotic drugs:

Also: Senate Bill No. 130—An act to amend sections 19r56 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of the probation officer in counties of the fifty-sixth class;

Also: Senate Bill No. 134—An act to add a new section to be numbered 4235m to the Political Code, relating to the sheriff's special fund;

Also: Senate Bill No. 768—An act to amend section 33 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, and also to add two new sections thereto to be numbered 24, and 501, relating to the definition of and regulation of passenger stage corporations;

Also: Senate Bill No. 308—An act to amend section 11 of the State Medical Practice Act relating to subjects of examination for certificates licensing the practice of medicine, drugless healing, chiropody and midwifery, approved June 2, 1913, as amended;

Also: Senate Bill No. 73—An act to amend section 14 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the revocation of licenses;

Also: Senate Bill No. 794—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11h, embracing sections 367 to 367g, relating to a Department of Social Welfare;

Also: Senate Bill No. 271—An act to amend section 2 of "The State Medical Practice Act," approved June 2, 1913, as amended;

Also: Senate Bill No. 71—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Senate Bill No. 70—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, by amending section 4 thereof with reference to the security to be given for such deposits;

Also: Senate Bill No. 322—An act to amend an act known as "The Building and Loan Commission Act," approved April 5, 1911, as amended, by adding thereto a new section to be numbered 15b, which section relates to the furnishing of bonds by certain officers and employees of building and loan associations;

Also: Senate Bill No. 323—An act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642b, relating to the investment of moneys with building and loan associations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of March, 1927, at 2 o'clock and 45 minutes p.m.

JONES, RAY, Chairman.

#### ON PRISONS AND REFORMATORIES.

#### SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Concurrent Resolution No. 15—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PEDROTTI, Chairman.

Senate Concurrent Resolution No. 15 ordered on file.

#### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

#### SENATE CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Constitutional Amendment No. 12, amended in Senate March 21, 1927—A resolution to propose to the people of the State of Cali-

formia an amendment to the constitution of said State by repealing the first numbered section 11 of article VI, proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 4, 1924, by amending sections 3, 4, 5 and 13 of said article and by adding to said article VI new sections to be numbered 4a, 4b, 4c and 11a relating to courts of record and inferior courts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Constitutional Amendment No. 12 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 366—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail bonds;

Also: Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

BAKER, Chairman.

Senate Bills Nos. 366 and 365 ordered on file for second reading.

#### ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 110—An act to add a new section to be numbered 4a and to amend sections 1, 8 and 9 of an act entitled "An act to provide for the regulation, control and licensing of any person, firm or corporation engaging in the business of milling, sampling, concentrating, reducing, purchasing, or receiving for sale ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold bullion, nuggets or specimens; to provide rules and regulations therefor; and to provide penalties for the violation of the provisions of this act," approved April 15, 1925, relating to licenses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5; committee vote: Ayes—5.

INGRAM, Chairman.

Assembly Bill No. 110 ordered on file for second reading.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following constitutional amendment was introduced:

By Senator Chamberlin: Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending sections 1, 2, 3 and 4 of article VI of the constitution, relating to the judicial department.

Referred to Committee on Constitutional Amendments.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Evans:

HEADQUARTERS G. A. R.  
MONROVIA POST NUMBER TWO HUNDRED TWO  
DEPARTMENT OF CALIFORNIA AND NEVADA

March 15, 1927.

To the Honorable H. J. Evans,  
State House, Sacramento, California.

DEAR SIR: This post has been, we think, credibly informed that the buildings at the State house for invalid veterans of the Civil War, are in very bad repair, and in need of repair or replacement.

And we earnestly and respectfully ask that you may see your way clear to assist in the betterment of conditions at the Veterans' Home near Yountville.

Very respectfully,

R. P. BLAIN, Commander.  
J. WALTER, Quartermaster.  
CHAS. CLARK, Adjutant.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 302—An act to amend the title and sections 1, 2, 3, 4, 9 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 460—An act to amend section 628b of the Penal Code, relating to the protection of fish—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

#### APPROVAL OF JOURNALS.

The Senate Journals of Wednesday, February 23; Thursday, February 24; Friday, February 25; Monday, February 28; Tuesday, March 1; Wednesday, March 2; Thursday, March 3; Friday, March 4; Monday, March 7; Tuesday, March 8; Wednesday, March 9; Thursday, March 10; Friday, March 11; Monday, March 14; Tuesday, March 15; Wednesday, March 16; Thursday, March 17, and Friday, March 18, were, on motion of Senator Breed, approved as corrected.

#### CONSIDERATION OF DAILY FILE.

##### SECOND READING OF SENATE BILLS.

Senate Bill No. 299—An act to amend sections 1817, 1830, 1836, 1838 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes.

##### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

###### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "one thousand eight hundred seventeen".

Amendment adopted.

###### AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, after the word "thirty-six" strike out the words "one thousand eight hundred thirty-eight".

Amendment adopted.

###### AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 to 24, inclusive.

Amendment adopted.



## AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out all of lines 1 and 2.

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 3, of the printed bill, strike out the figure "2" and insert in lieu thereof the figure "1".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 20, of the printed bill, after the abbreviation "Sec." strike out the figure "3" and insert in lieu thereof the figure "2".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out all of lines 26 to 52, inclusive.

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of lines 1 to 12, inclusive.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 3, line 13, of the printed bill, after the abbreviation "Sec." strike out the figure "5" and insert in lieu thereof the figure "3".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 717—An act to amend section 1618a of the Political Code, relating to health supervision.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, before the word "counties", insert the following: "upon the recommendation of the county board of education".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out the words "Qualifications of physical inspectors."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, strike out the word "Certificates."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill, strike out the word "educations" and insert in lieu thereof the word "education".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 23, of the printed bill, strike out the words "Examination of pupils."

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 36, of the printed bill, following the word "examination" and before the comma insert the following: "or treatment".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 50, of the printed bill, strike out the words "Report on conditions of school buildings."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3, line 10, of the printed bill, before the first "the" insert the following: Sixth—.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 3, line 39, of the printed bill, strike out the words "Inspectors must hold certificates."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State, relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations, be amended.

## COMMITTEE AMENDMENTS.

During the reading of the constitutional amendment, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

After the word "thereof" appearing in line 22, page 1, of the printed bill as amended, insert a semicolon and add the following: "Provided, in the case of corporations engaged in public utility business the written consent of the railroad commission or such governing body having jurisdiction over the issuance of securities of such corporations, is first obtained."

Amendment adopted.

## AMENDMENT NUMBER TWO.

After the period appearing in line 7, page 2, of the printed bill, insert the following: "The extension of the term of existence of any corporation shall in no case be construed as extending the term of existence of any franchise held, owned or controlled by such corporation prior to the time of such extension."

Amendment adopted.

Senate Constitutional Amendment No. 22 read, ordered to print, engrossment, and on file.

Senate Bill No. 371—An act to add a new section to the Penal Code, to be numbered 1275, relating to bail bonds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 370—An act to amend section 1280 of the Penal Code, and to repeal section 1280*b* of the Penal Code, relating to bail bonds and justification of sureties thereon.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 369—An act to amend section 1280*a* of the Penal Code, relating to bail bonds, providing that bail bonds shall constitute lien on property, and providing for the filing of notice with the county recorder, the justification of sureties on bonds, and for subsequent release of lien by the court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 540—An act to control and regulate the possession, sale and use of machine guns; providing for the registration of sales of machine guns; prohibiting the possession and use of machine guns, except by lawfully authorized persons, and to provide for their confiscation and destruction in certain cases; prohibiting the ownership, use or possession of machine guns by certain classes of persons; authorizing the granting of licenses to possess or carry machine guns; to provide for the licensing of retail dealers of such weapons.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 368—An act to amend section 1288 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 413—An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 523—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "Sections two and fifty of".

Amendment adopted.



## AMENDMENT NUMBER TWO.

In line 13 of the title of the printed bill, strike out the period after the word "amended" and insert in lieu thereof a comma and add the words "by adding two new sections thereto, to be numbered two and one-half and fifty and one-half, relating to certification of warehousemen."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 to 13, inclusive; also strike out all of pages 2 to 9, inclusive, and insert in lieu thereof the following:

SECTION 1. A new section to be numbered 2½ is hereby added to an act entitled "An act to provide for the organization of a railroad commission to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'railroad commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, to read as follows:

Sec. 2½. The term "warehouseman," when used in this act, includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any building, or structure, or warehouse, in which merchandise, other than secondhand household goods or effects, and other than merchandise sold but retained in the custody of the vendor, is regularly stored for the public generally, for compensation, within this state, excepting warehouses conducted by any nonprofit, cooperative association or corporation which is engaged in the handling or marketing of the agricultural products of its members; also excepting warehouses conducted by the agents, individual or corporate, of such associations or corporations, while acting within the limitations imposed by law on the principal of any such agent."

SEC. 2. A new section, to be numbered 50½, is hereby added to said act, to read as follows:

Sec. 50½. No warehouseman shall hereafter begin to operate any business of a warehouseman, as defined in section 2½ of this act, in any incorporated city, or city and county of this state having a population of one hundred fifty thousand or more, without first having obtained from the railroad commission a certificate declaring that public convenience and necessity require or will require the transaction of business by such warehouseman, nor shall any such warehouseman hereafter add to, extend, or otherwise increase his storage or warehouse floor space by more than five thousand square feet in any incorporated city, or city and county with a population of thirty thousand or more, without first having obtained from the railroad commission a certificate declaring that public convenience and necessity require or will require such addition or extension or increase of such storage or warehouse floor space; *provided, however*, that any warehouseman may without securing such certificate, extend or increase his storage or warehouse floor space for the sole and exclusive purpose of storing therein the goods, wares and merchandise owned by the lessor or owner of the building or premises in which the additional or increased storage or warehouse floor space is situated.

No such certificate shall be required by any warehouseman as to storage or warehouse space actually operated in good faith at the time this act becomes effective, under tariffs and schedules of such warehouseman lawfully on file with the railroad commission.

Any right, privilege, franchise or permit held, owned or obtained by any warehouseman may be sold, assigned, leased, transferred or inherited as other property, only upon authorization by the railroad commission. The railroad commission shall have power, with or without hearing to issue said certificate as prayed for, or to refuse to issue the same, or to issue it for the partial exercise only of said privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions, as in its judgment, the public convenience and necessity may require.

The railroad commission may at any time for a good cause suspend and upon notice to the grantee of any certificate and opportunity to be heard revoke, alter or amend any certificate issued under the provisions of this section.

When a complaint has been filed with the commission alleging that any warehouseman is operating any storage or warehouse floor space without a certificate of public necessity and convenience, as required by the provisions of this subdivision, the commission shall have the power, with or without notice, to make its order

requiring said warehouseman to cease and desist from such operation, until the commission makes and files its decision on said complaint, or until further order of the commission.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

That all of pages 2, 3, 4, 5, 6 and 7 of said printed bill be stricken out and that the following be inserted in lieu thereof: "lengths of boundary lines; the angles, as measured by Vernier readings, which the lines of blocks or lots, if the record relate to an original townsite survey, make with each other and with the center lines of adjacent streets, alleys, roads, or lanes; the variations of the magnetic needle with which old lines have been retraced; the scale of the map, the date of the survey; a proper connection with one or more points of an original or larger tract of land, and the name of the same; the name of the grant or grants, or of the township and ranges, within which the survey is located; the signature and seal of the surveyor: *provided*, that nothing in this section shall require record to be made of surveys of a preliminary nature, where no monuments or corners are established."

Whenever the record of survey shall relate to the platting or subdivision of land into lots or parcels containing 5 acres or less in area, for the purpose of sale, the county recorder shall, before recording such record of survey, submit it to the board of supervisors, if the territory covered by such record of survey be unincorporated, or to the governing body of the city within the boundaries of which such territory is included, or to both such governing bodies, if partly within and partly without the included area of any city or cities. Unless the record of survey shall thereupon be approved by the board of supervisors or governing body of city or cities, the county recorder shall not record such record of survey.

Nothing herein contained, however, shall prevent the subsequent recordation of such record of survey after due compliance with the provisions of an act entitled 'An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded,' approved March 15, 1907, as amended."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on County Government.

Senate Bill No. 507—An act to amend section 232278 of the Political Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "three thousand", and insert in lieu thereof the words "two thousand four hundred".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 10 and all of line 11 down to and including the semicolon after the word "annum".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out the words "two clerks", and insert in lieu thereof the words "one clerk".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of line 20, following the word "of", and all of line 21, down to and including the word "each", and insert in lieu thereof the words "five dollars per day while employed".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 22, of the printed bill, strike out the period following the word "each", and insert in lieu thereof the words "without traveling expenses."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 449—An act to amend sections 4039 and 4076 of the Political Code, relating to claims against the county and records thereof.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

That line 8, page 2 of said bill be stricken out and the following be inserted in lieu thereof: "preceding sections, three days prior to the time of the meeting of the board at which it is asked to be allowed. Such demand shall be made in form".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 688—An act to amend section 204e of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties where there is a secretary of the judges of the superior court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund and for the manner of accounting therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 235—An act to add a new section to the Penal Code to be numbered 95a, relating to offenses against justice.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 88—An act to amend section 1094 of the Political Code, relating to registration of electors.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

Strike out all of the title and insert in lieu thereof the following:

An act to amend sections one thousand forty-four, one thousand eighty-three *b*, one thousand ninety-six, one thousand ninety-six *a*, one thousand one hundred twenty-five, one thousand one hundred fifty-one, one thousand one hundred ninety-two, one thousand one hundred ninety-five *b*, one thousand two hundred four, one thousand two hundred five, one thousand two hundred ten, one thousand two hundred sixty-one, one thousand two hundred sixty-two, one thousand two hundred sixty-four, and one thousand two hundred sixty-five, of the Political Code, relating to registration of electors and conduct of elections.

Amendment adopted.

## AMENDMENT NUMBER TWO.

Strike out all of the bill beginning with section 1 and insert in lieu thereof the following:

SECTION 1. Section 1044 of the Political Code is hereby amended to read as follows:

1044. Except in the particulars or cases otherwise provided for in the constitution or laws of the state or by the provisions of a freeholder charter duly adopted or amended pursuant to the constitution of this state, all regular school elections and municipal elections, where the same are held separate from state elections, and all elections held under the authority of section 8 of article XI of the constitution, to elect boards of freeholders, or to vote upon proposed charters, or upon amendments to existing charters, and all other special elections, including all special elections to vote upon or for or against any proposition or questions authorized to be submitted to a vote, shall be conducted under the provisions of sections 1044, 1120, 1121, 1133 and 1151 of this code.

Sec. 2. Section 1083*b* of the Political Code is hereby amended to read as follows:

1083*b*. Whenever the county clerk or registrar of voters is required by law to examine the signatures upon any nomination paper or petition of any candidate for a municipal office, he is hereby empowered to employ the necessary help for said examination, to be paid by such municipality a sum of not to exceed five dollars per day for each person so employed in such examination.

Sec. 3. Section 1096 of the Political Code is hereby amended to read as follows:

1096. The affiant making the affidavit of registration must be at least twenty-one years of age at the time of the next succeeding election; a citizen of the United States ninety days prior to such election; a resident of the state one year, of the county ninety days, and of the precinct thirty days next preceeding such election and the affidavit must show such facts.

It shall also show:

1. The name at length, including christian or given name, the middle name, or initial, if any, said christian or given name, if the name of a woman, to be preceded in all cases by the designation of Miss or Mrs. as the case may be.

2. The place of residence and post-office address with sufficient particularity to identify the same and determine therefrom the voting precinct of such affiant. If the elector be not the proprietor or head of the house, or the wife or husband of such proprietor, then it must show upon what floor thereof, and what room such elector occupies in such house.

3. The occupation of affiant.

4. The height of affiant in feet and inches.

5. The country or state of nativity of affiant.

6. If foreign born, how citizenship was acquired, whether by citizenship of father, by provisions of a treaty or act of congress, by order of a court of naturalization, by marriage to a citizen, by naturalization of a parent or husband, or otherwise. The date or year when, and the place or state where affiant became a citizen, shall be shown, except in the case of citizenship acquired by citizenship or naturalization of parents, by treaty, or by act of congress. When citizenship depends upon the citizenship or naturalization of parent or husband the name of such parent or husband shall appear.

7. The fact whether or not the elector desiring to be registered is able to read the constitution in the English language and to write his or her name, and whether or not the elector has any physical disability, by reason of which he or she can not mark the ballot; and if he or she can not mark the ballot by reason of physical disability, then the nature of such disability must be entered. The affiant shall sign such affidavit with his or her name at length, including christian or given name, and middle name or initial, if any, if unable to write he or she shall sign with a mark or cross, and the county clerk or registrar before whom such affidavit is made shall insert therein the date of such affidavit, which shall be the date of the jurat.

The affiant may state in such affidavit the name of any political party or organization with which he intends to affiliate at the ensuing primary election; whether or not such party or organization is a party or organization qualified, at the time of such registration, to participate in such primary election according to the provisions of the direct primary law.

SEC. 4. Section 1096a of the Political Code is hereby amended to read as follows:

1096a. At the time of registering and of transferring registration, in all places where the primary election law is in force, each elector shall declare the name of the political party with which he intends to affiliate at the ensuing primary election or elections, and the name of such political party shall be stated in the affidavit of registration.

If the elector declines to state the fact, the fact of such declination shall likewise be stated and no person shall be entitled to vote the ticket of any political party at any primary election, by virtue of such registration, unless he has stated the name of the political party with which he intends to affiliate at the time of such registration. Nor shall he be permitted to vote on behalf of any party or for delegates to the convention of any party other than the party so designated in the registration.

In case any elector shall have declined to designate or shall have changed his political affiliation prior to the close of registration for primary elections he is entitled to have such change recorded prior to the close of said registration upon application to the county clerk or registrar of voters as hereinafter provided. In case any elector shall have declined to designate or shall have changed his political affiliation prior to the close of registration, he may appear in person before the county clerk or registrar of voters, or any registration deputy of said county clerk or registrar of voters, and make affidavit substantially in the following form:

State of California) ss.  
County of \_\_\_\_\_)

\_\_\_\_\_, being duly sworn, deposes and says that he registered on the great register of the said county of \_\_\_\_\_ as a \_\_\_\_\_ (insert former party affiliation, or that he had declined to designate his party affiliation); that since the date of such registration he has changed his political views and in good faith declares his affiliation with \_\_\_\_\_ party.

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

The county clerk or registrar of voters shall take such affidavit without charge and shall file the same, and shall note such change of political affiliation on the elector's affidavit of registration.

SEC. 5. Section 1125 of the Political Code is hereby amended to read as follows:

1125. In all counties, and city and counties, (except in counties, and city and counties, which at the last general election prior to the time this act goes into effect had a registration of at least two hundred thousand electors, or which has a registrar of voters provided for by freeholders charter or by general law, but no board of election commissioners, other than the board of supervisors acting as such ex officio), the county surveyor shall upon written request and under the direction of the county clerk or in counties, and city and counties, having a registrar of voters, from the registrar of voters, divide the county into election precincts and prepare detail precinct maps and exterior descriptions and copies thereof, and file the same with the board of supervisors not later than the first Monday in November of each odd-numbered year; *provided, however*, that the county shall be so divided into election precincts that there shall be as many as shall be sufficient to make the number of votes polled at any election precinct not more than two hundred, as near as can be ascertained, and it is the duty of said board to adopt an order creating election precincts as prepared and described by said county surveyor and county clerk, not later than the second Monday in December of each said odd-numbered year; the county surveyor shall within fifteen days after receipt of said written request from the county clerk, or registrar of voters, change or alter any precinct boundaries, and prepare new detail maps and descriptions thereof, as directed by the county clerk, or registrar of voters, and file the same with the board of supervisors, who must at their next meeting adopt said precinct changes by order.

Whenever the boundaries of any precinct are changed or altered in accordance with this section, it shall be the duty of the county clerk or registrar of voters, to rearrange the affidavits of registration and place them in the proper precinct to which they belong as said precincts are reestablished, and make the necessary changes in the precinct names on said affidavits as required.

The county clerk, or registrar of voters, shall be, and he is hereby authorized to employ such help as is necessary to enable him to make such changes on affidavits of registration, at a salary of not to exceed five dollars per day, and if found necessary to canvass the territory in order to ascertain the precinct of each person registered, he shall be allowed to employ such help as is necessary to make such changes, at a salary of not to exceed five dollars per day and necessary traveling expenses for each clerk so employed on said work. The total amount to be expended for this work in any one county shall not exceed the sum of four cents per name for the total number of names appearing on the great register for said county at the last general election.

In all counties, or city and counties of this state, which at the last general election prior to the time this act goes into effect had a registration of at least two hundred thousand electors, or which has a registrar of voters provided for by freeholders charter or by general law, but no board of election commissioners, other than the board of supervisors acting as such ex officio, the board of supervisors, or other board having charge and control of elections in such county, or city and county, or, at its request, the county clerk or registrar of voters, shall, as soon before a general election as is convenient, proceed to divide such county, or city and county, into election precincts, of which there shall be as many as shall be sufficient to make the number of voters polled at any one election precinct to be not more than two hundred, as nearly as can be ascertained.

Any provisions found elsewhere in this code giving to the board of supervisors the power to establish, abolish, and change election precincts shall be subject to, and controlled by, the provisions of this section.

SEC. 6. Section 1151 of the Political Code is hereby amended to read as follows: 1151. The city council or other board having charge and control of the elections of any municipality shall appoint a board of election for each election or consolidated election precinct, to consist of one inspector, two judges and three clerks for each municipal election provided for by said section 1044 of this code, held within that municipality, and the board of supervisors or other board having charge and control of elections shall appoint a board of election to consist of one inspector, one judge and two clerks for every other election provided for by said section, who shall apportion among themselves the work required in the conduct of such election within their respective election precincts: *provided*, that at any nomination or general municipal election held under the provision of a freeholders' charter, the board or governing body charged with the conduct of such elections, may by majority consent, appoint a board of elections for each election precinct, to consist of one inspector, one judge, and two clerks. The members of such boards shall be appointed, and when appointed shall act, as provided for by section 1142 of this code. But one tally list, and one copy of such tally list, as provided for in section 1261 of this code, need be kept, and but one book of original affidavits of registration need be furnished for use at each precinct, which shall be returned to the proper officers with the official returns, in the manner provided for the returns at a general election.

SEC. 7. Section 1192 of the Political Code is hereby amended to read as follows:

1192. Nomination papers required to be filed with the secretary of state or with the county clerk shall be filed not more than ninety days nor less than sixty days before the day of election, when the nomination is made by electors, as provided in section 1188 of this code.

Nomination papers required to be filed with the clerk or secretary of the legislative body of any city or town, shall be filed not more than forty days nor less than twenty days before the day of election, when the nomination is made by electors as provided in section 1188 of this code.

SEC. 8. Section 1195b of the Political Code is hereby amended to read as follows:

1195b. The secretary of state shall furnish each county clerk or registrar of voters in the state not less than thirty-five days before the election next ensuing at which such amendments, propositions, measures or questions are to be voted on, certify such pamphlet and the matters contained therein with not more than one and one-twentieth times as many copies of such pamphlets as there are registered voters in his county. The county clerk or registrar of voters of each county shall not more than thirty days, nor less than fifteen days prior to said election cause to be mailed to each voter a copy of such pamphlet and no other publication of such amendments, propositions, measures, questions or statements shall be necessary or authorized. Three copies of such pamphlets, to be supplied by the secretary of state, shall be kept at every polling place, while an election is in progress, so that they may be freely consulted by the electors.

SEC. 9. Section 1204 of the Political Code is hereby amended to read as follows:

1204. Any person desiring to vote shall write his or her name and address (or if he or she be unable to write, shall have the same written for him or her) on a roster of voters provided for that purpose and announce the same to one of the election officers, who shall then in an audible tone of voice announce the same, and if another election officer finds the name on the register, he shall in a like manner repeat the name and address, whereupon a challenge may be interposed as provided in sections 1230 and 1600 of this code. In case the surname of any female person offering to vote has been changed by reason of marriage or divorce since registration such person shall sign her name as it was before such marriage or divorce and also her name as it is at the time she votes, indicating on the roster by brackets or other means, that the two names are the name of one person. In all cases except in those where the name and address of the voter is written on the roster of voters for him, as above provided, it shall be the duty of the election officer, in the presence and view of the bystanders to compare the signature of the voter on the roster of voters with the signature of that person on the register and no ticket shall be given such voter until such comparison of signatures shall have been made and until such a comparison has been made, as aforesaid, the right of a voter to vote may be challenged. If the challenge be overruled, the election officer shall give the voter a ticket and the voter shall be allowed to enter the place enclosed by the guard rail as above provided. The election officer



shall give him but one general ticket and where any city, city and county or town officers are to be elected also one municipal ticket and only one ballot of each kind and in order to prevent voters from marking their ballots with a pencil, or otherwise contrary to law, it shall be the duty of the election officer whenever he shall deliver a ballot to any voter to then orally distinctly state to him, so that it may be heard by the bystanders, that he must mark the ballot with the stamp provided by law or it will not be counted.

SEC. 10. Section 1205 of the Political Code is hereby amended to read as follows:

1205. On receiving his ballot the elector shall forthwith, and without leaving the enclosed space, retire alone to one of the places, booths or compartments provided, to prepare his ballot. In voting he shall stamp a cross (X) in the voting square after the name of every candidate for whom he intends to vote, and this shall be counted as a vote for each person after whose name the voter has stamped such cross, or he may vote for a candidate or person whose name is not printed on the ballot by writing a name for such office in the blank space left therefor, in which latter case the vote of such elector for that office shall be counted for the person whose name is so written. Where two or more candidates for the same office are to be elected, and the elector desires to vote for candidates for that office, he must stamp a cross (X) after the names of all the candidates for that office for whom the elector desires to vote, not exceeding, however, the number of candidates who are to be elected.

In case of a question, proposition or constitutional amendment, submitted to the vote of the electors, the elector shall mark his ballot by stamping in the appropriate voting square a cross (X) opposite the answer he desires to give as to such question, proposition or constitutional amendment. All crosses shall be made only with a stamp, which with necessary pads and ink, shall be provided by the officers who by law are required to furnish election supplies for each booth or compartment provided for the marking and preparation of ballots. Before leaving such booth or compartment the elector shall fold his ballot in such a manner that the number of the ballot shall appear on the outside thereof, without displaying the marks on the face thereof, and shall keep it folded until he has voted. Having folded his ballot, the elector shall deliver it folded to the inspector, who shall announce in an audible tone of voice the name of the elector.

The ballot clerk having in charge the copy of the index to the register or affidavits of registration shall, in like manner, repeat the name and shall write in the ruled space opposite the name the word "voted", for each elector who votes.

The inspector shall then separate the slip containing the number from the ballot, deposit the ballot in the box and immediately destroy such number slip.

SEC. 11. Section 1210 of the Political Code is hereby amended to read as follows:

1210. The county clerk or registrar of voters of each county, or city and county, or, in case of separate city or town elections, the clerk or secretary of the legislative body of such city or town, shall cause to be printed, on plain white paper, without watermark, at least as many copies of the form of ballot provided for use in each voting precinct as there shall be registered electors in such precinct. Such copy shall be designated "sample ballot" upon the face thereof. Said county clerk or registrar of voters of each county or city and county, or the clerk or secretary shall commence to mail the same, postage prepaid, to registered electors not more than thirty, nor less than fifteen days before the day fixed by law for such election, and shall have all of the same mailed at least seven whole days before the day of election; *provided*, that not more than one sample ballot shall be furnished to any one elector; *and further provided*, that for any general election the number of sample ballots printed shall not exceed the total registration by more than fifteen per cent of such registration. Such county clerk or registrar of voters of each county or city and county, or the clerk or secretary shall also enclose in the envelope with each of said ballots a card stating the location of the precinct polling place of each elector. Only official matter shall be sent in such envelope. Such county clerk or registrar of voters of each county or city and county, or the clerk or secretary shall cause to be printed in large, clear type, on cards, instructions for the guidance of electors in obtaining and marking their ballots, and he shall furnish twelve such cards to the board of election in each election precinct in his county, at the same time and in the same manner as the printed ballots and sample ballots. The board of election shall post at least one of such cards in each booth or compartment provided for the preparation of ballots, and not less than three of such cards at other places in and about the polling place, on the day of election. Sections 1214 and 1215 of this code, and section 61 of the Penal Code, shall also be printed on each of said cards.

SEC. 12. Section 1261 of the Political Code is hereby amended to read as follows:

1261. The board must, before it adjourns, enclose in packages which must be sealed and directed to the county clerk, or to the registrar of voters if there be one, in their county, or city and county, the hereinafter designated supplies and records of the election. In one package shall be enclosed one tally list, the challenge list, the death and removal list, one list of assisted voters, and all affidavits of election officers assisting electors; in one package shall be enclosed the roster of voters, one tally list, the copy of the precinct index to the register or affidavits of registration showing names of electors voted as kept by the election clerk, and one list of

assisted voters; in one package shall be enclosed the spoiled, cancelled and unused ballots; and in one package shall be enclosed the voted ballots. The register shall be returned separately in a sealed envelope to the county clerk or registrar of voters; *provided, however*, that the county clerk or registrar of voters may open such envelope upon receipt thereof at the office of such county clerk or registrar of voters.

The board must also immediately transmit, unsealed to the county clerk or registrar of voters, a copy of the result of the votes cast at the polling place, which copy must be signed by the members of the board, and which shall be open to the inspection of the public.

The board must also, before it adjourns, post conspicuously, on the outside of the polling place, a copy of the result of the votes cast at such polling place, which copy shall be signed by the members of the board.

It shall be a misdemeanor for any person to remove or deface such posted copy of the result or to delay or change the copy to be delivered to the county clerk, or registrar of voters.

Sec. 13. Section 1262 of the Political Code is hereby repealed.

Sec. 14. Section 1264 of the Political Code is hereby amended to read as follows:

1264. The member to whom such packages are delivered, must, without delay, deliver such packages without their having been opened, to the county clerk, registrar of voters, nearest postmaster, or sworn express agent, who shall endorse on such packages the name of the party delivering them, and date of such delivery. If delivered to a postmaster, or express agent, such postmaster or express agent shall forward the packages by the first mail or express to the county seat. In the city and county of San Francisco, such packages must be delivered to the registrar of voters within three hours from the time of adjournment of the board, which time of adjournment must be endorsed upon such package, and upon each tally list, in ink or indelible pencil, and signed by a majority of the members of such board. In the city and county of San Francisco the packages must be put up and sealed in the following manner, by an inspector, and at least three other members of the board, and be signed by their respective signatures across (flap) the same written.

One package to contain the voted ballots only; one package to contain one roster and tally list only; one package to contain the precinct registers only, one package to contain index to register, list of voters challenged, and list of assisted voters; and one package to contain the unused ballots.

Sec. 15. Section 1265 of the Political Code is hereby amended to read as follows:

1265. On receipt of the packages the county clerk or registrar of voters must file the one containing ballots, and must keep it unopened and unaltered for six months, after which time, if there is not a contest commenced in some tribunal having jurisdiction about such election, he shall thereafter destroy the package without opening or examining its contents; *provided, however*, that after the time limited for a contest, and in the event any contests have been commenced, then after said ballots have been opened and counted by the superior court in said contest, a judge of the superior court of the county wherein said ballots were voted may order said packages to be opened for inspection in any case being tried in his court where he has jurisdiction of the same, whenever he shall deem it necessary to inspect the ballots contained in said packages in order to produce testimony to establish the proof of any material issue of fact arising in the course of the trial of said case. In no event shall the said packages, or any of them, or the ballots contained therein, be taken from the custody of the county clerk or registrar of voters.

Whenever said packages, or any of them, shall have been inspected and examined, and a record made of the testimony therein contained, the same shall be restored to the exclusive control and custody of the county clerk or registrar of voters who shall reseal the packages with the ballots contained therein, and keep the same until he shall thereafter destroy them, in accordance with the direction of this section; *provided, further*, that if any congressional district within this state there has been or shall be filed a contest of the election of any person declared to have been elected a member of congress, and the county clerk or registrar of voters in any county or city and county be notified by the contestant, that such congressional election contest is pending then and in that case such county clerk or registrar of voters shall not destroy the ballots in that county or city and county, or in the part or portion thereof within such congressional district in which such contest is pending, until the final determination of such contest before the house of representatives of the congress of the United States; and such county clerk or registrar of voters shall hold such ballots in his custody subject to the inspection of any committee of the house of representatives or subcommittee thereof, having in charge the investigation of such contest, and shall produce such ballots for examination before any such committee of the house of representatives or subcommittee or

before any commissioner designated by such congressional committee or subcommittee or before any officer designated by act of congress and duly selected to take depositions and proof in any such contest of the election of any person to congress.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 168—An act to amend section 1838 of the Political Code, relating to a building fund tax.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "may, at least fifteen days before the first day of the month in which the board of supervisors is required by law to levy the taxes required for county purposes," and insert in lieu thereof the words "must on or before the tenth day of July".

Amendment adopted

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, after the word "supervisors", strike out the word "may" and insert in lieu thereof the word "must".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 169—An act to amend an act entitled "An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks for the use of pupils of such schools"

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the word "classes" and insert in lieu thereof the word "classics".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 26, of the printed bill, strike out the words "August first" and insert in lieu thereof "July twentieth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed bill, following the word "like" insert the word "kind".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 18, of the printed bill, strike out the word "prepared" and insert in lieu thereof the word "prepaid".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.



Assembly Bill No. 201—An act to amend section 1612 of the Political Code, relating to contracts by boards of school trustees and city boards of education.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, the word "county" be stricken out and that there be inserted in lieu thereof the word "district".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 836—An act to amend section 1764 of the Political Code, relating to schools.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "must" strike out the words "at least fifteen days before the first day of the month in which the supervisors of such county or city and county are required by law to levy the amount of taxes required for county or city and county purposes", and insert in lieu thereof the words "on or before the twentieth day of July".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, after the word "before" strike out the word "August" and insert in lieu thereof the word "July".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, after the first word "of" strike out the word "August" and insert in lieu thereof the word "July".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill, after the word "than" strike out the word "August" and insert in lieu thereof the word "July".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 916—An act to establish a State Curriculum Commission for the public schools of the State.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 5, 6 and 7, of the printed bill, strike out the matter and insert in lieu thereof the following: "for ten additional".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 14 and 15.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 915—An act to amend section 1552 of the Political Code, relating to the expenses of the superintendent of schools and his assistants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 208—An act to add a new section to the Political Code, to be numbered 1618*b*, relating to the education of persons in tubercular sanatoriums and preventoriums.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 834—An act to add a new section to the Political Code, to be numbered 1610<sup>1</sup>, relating to special leaves of absence and exchanges of teachers, principals and other persons in public school service holding positions requiring the certification of their qualifications in certain cases, and defining the powers of boards of school trustees and city or city and county boards of education or high school boards of education in such cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 832—An act to amend sections 1 and 3 of an act entitled "An act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance, conduct and management of the same," approved June 6, 1913, relating to the establishment of a civic center at the public schoolhouses within the State and to the management, direction and control of said civic center.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 835—An act to amend "An act to provide that certain graduates of normal schools and teachers colleges shall be required to qualify to give elementary instruction in agricultural subjects."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 176—An act to add a new section to the Political Code, to be numbered 1858*a*, relating to an emergency fund for the relief of school districts suffering from an unusual increase in school attendance.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "common", and insert in lieu thereof the word "elementary".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 27, of the printed bill, strike out the word "common" and insert in lieu thereof the word "elementary".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 536—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the powers and duties of boards of school trustees and city boards of education and authorizing such boards to establish, maintain and operate cafeterias in the schools under their jurisdiction.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 175—An act to amend section 1553 of the Political Code, relating to superintendents of schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 549—An act to amend section 1662 of the Political Code, and to add a new section of the Political Code, to be numbered 1610*a*, relating to schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 29—An act to amend section 4256 of the Political Code, relating to the salaries, fees and compensation of county officers of the twenty-seventh class.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, strike out the words "criminal business" and insert in lieu thereof the following: "other necessary and proper business. The sheriff shall also be paid twenty-five cents per meal for all meals furnished prisoners confined in the county jail."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 202—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 5, lines 34 and 35, of the printed bill, strike out the words "each of said clerks" and insert in lieu thereof the words "and said clerk".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 6 of the printed bill, strike out all of lines 47 to 52, inclusive.

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 7 of the printed bill, strike out all of lines 1 and 2.

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 7, line 3, of the printed bill, strike out the number "20" and insert in lieu thereof the number "19".

Amendment adopted.



## AMENDMENT NUMBER FIVE.

On page 7, line 6, of the printed bill, strike out the number "21" and insert in lieu thereof the number "20".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 559—An act to amend section 4269 of the Political Code, relating to salaries, fees and expenses of county officers of counties of the fortieth class.

On motion of Senator Jones, Ray, Assembly Bill No. 559 was re-referred to Committee on County Government.

Assembly Bill No. 899—An act to amend section 4287 of the Political Code, relating to fees and salaries of county and township officers in counties of the fifty-eighth class.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, lines 7 and 8, of the printed bill, strike out the words "seven hundred fifty" and insert in lieu thereof the words "six hundred twenty-five".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the words "six hundred" and insert in lieu thereof the words "seven hundred fifty".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 939—An act to amend section 4048 of the Political Code, relating to bids and prices on county supplies, printing and advertising.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

That in lines 7 and 8 on page 2, of said printed bill, the following words be stricken out: "A square of advertising shall be two hundred thirty-four ems nonpareil."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relative to the general powers of supervisors.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

That in line 4, page 8, of said printed bill, following the word "burying", there be inserted the words "or cremation".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 28—An act to amend section 2322x37 of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies and employees in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 95—An act to amend section 2322x18 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 96—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 113—An act to amend section 4239 of the Political Code, relating to salaries, fees and expenses of officers of counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 203—An act to amend section 2322x23 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 287—An act to amend section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, said section relating to salaries of county librarians in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 289—An act to amend section 19x10 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of the probation officer and assistants and deputies in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 513—An act to amend section 2322x10 of the Political Code, relating to salaries, fees and expenses of horticultural commissioners, deputies, inspectors and clerks in counties of the tenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 555—An act to amend section 4095 of the Political Code, relating to the duty of county auditors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 514—An act to amend section 2322x52 of the Political Code, relating to fees and salaries of the horticultural commissioner and his assistants in counties of the fifty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 558—An act to amend section 4263 of the Political Code, relating to the salaries, fees and expenses of the county officers of counties of the thirty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 566—An act to amend section 19441 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to salary of probation officer in counties of the forty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 624—An act to amend section 232267 of the Political Code, relating to the salary of the horticultural commissioner and inspectors in counties of the seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 641—An act to amend section 232237 of the Political Code, relating to the salaries of employees in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 888—An act to amend section 4243 of the Political Code, relating to salaries of copyists appointed by the recorder.

Bill read second time, and ordered on file for third reading.

#### APPOINTMENT BY THE PRESIDENT.

On motion of Senator Breed, the President announced the appointments of Senators Inman, Crowley and Canepa to meet with a joint committee of the Assembly to escort Governor C. C. Young and Hon. Hubert Work, Secretary of Interior, to the Assembly Chamber.

#### RECESS.

At eleven o'clock and twenty-five minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of twelve o'clock and twenty-five minutes p.m., for the purpose of meeting in the Assembly Chamber to hear remarks offered by His Excellency C. C. Young, Governor of California, Hon. Hubert Work, Secretary of Interior, and Dr. Elwood Mead.

#### RECONVENED.

At twelve o'clock and twenty-five minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repeal-



ing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 115—An act to amend sections 2 and 4 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to persons eligible to the benefit of the act.

On motion of Senator Garrison, Senate Bill No. 115 was ordered re-referred to Committee on Military Affairs.

Senate Bill No. 302—An act to amend the title and sections 2, 3, 4, 9 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 302 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16x4 consecutively to 16x58 to an act entitled "An act to establish a standard of weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 96 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics, and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 230 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An act to add a new chapter, to be numbered chapter IIa, embracing section 2980 to division III, part I, title XIV of the Civil Code, relating to conditional sales.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 349 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 27—An act to amend section 647 of the Penal Code, defining and punishing the crime of vagrancy.

On motion of Senator Cobb, Senate Bill No. 27 was re-referred to Committee on Revision of Criminal Law and Procedure.

Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

On motion of Senator Gray, Senate Bill No. 734 was passed on file.

Senate Bill No. 748—An act to amend section 453 of the Civil Code, relating to mutual benefit and life insurance associations, and the manner in which and the conditions upon which such associations may do business in this State.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Gray moved to refer Senate Bill No. 748 to Senator Crowley, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, after the word "such" strike out the word "bonds" and insert in lieu thereof the word "funds".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 748, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Special Committee.

Report read, and on motion of Senator Gray adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act," relating to registration fees.

Bill read third time.

On motion of Senators Maloney and Gray, Senate Bill No. 709 was passed on file.

Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having pos-



session or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Senate Bill No. 25 to Senator Hurley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, after the word "health," insert the words "its inspectors".

AMENDMENT NUMBER TWO.

On page 2, line 27, of the printed bill, after the word "board," strike out the words "its inspectors".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 25, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, Special Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print and re-engrossment.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 315 was passed on file.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and forty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 198—An act to amend section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor," approved March 11, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 198 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wag, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Sharkey, further consideration of the motion to reconsider the vote whereby Senate Bill No. 846 was refused passage was continued until the next legislative day.

Senate Bill No. 200—An act to amend sections 1, 3 and 8 of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Taylor, Tubbs, Wag, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 815—An act to amend an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,' " approved June 12, 1913, amended 1915; amended 1921; amended 1925, by amended section 1 and adding a new section to be numbered 7½, relating to the conduct of training schools for nurses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 815 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR FELLOM IN THE CHAIR.

At twelve o'clock and forty-eight minutes p.m., Senator Fellom of the Twenty-first District was called to the chair.

Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 327 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 596—An act to amend the Civil Code by adding a new section thereto, to be known as section 161a thereof, relating to the respective interests of husband and wife in community property, and more clearly defining the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 596 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915.

Bill read third time.



## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Taylor moved to refer Senate Bill No. 857 to Senator Kline, as a Special Committee of One, to amend as follows:

## \* AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended March 23, 1927, strike out the figure "11" and insert in lieu thereof the word "ten".

## AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, as amended March 23, 1927, strike out the figure "11" and insert in lieu thereof the word "ten".

## AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, as amended March 23, 1927, strike out the figure "11" and insert in lieu thereof the word "ten".

## AMENDMENT NUMBER FOUR.

On page 2, line 51, of the printed bill, as amended March 23, 1927, strike out all that portion of said line following the period therein; also strike out line 52 on said page 2 and all of lines 1 to 3 inclusive on page 3 and insert in lieu thereof the following: "The state board of prison directors shall make such additional investigation as they deem necessary. All provisions of".

## AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, as amended March 23, 1927, strike out all of lines 33 to 52 inclusive on said page and the words "upon the final hearing" in line 1 on page 4 and insert in lieu thereof the following:

"SEC. 4. The state board of prison directors when satisfied from recommendations and investigations".

## AMENDMENT NUMBER SIX.

On page 6, line 17, of the printed bill, as amended March 23, 1927, strike out the words "or suspend".

## AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, as amended March 23, 1927, strike out lines 26 to 34 inclusive on said page and insert in lieu thereof the following: "file a petition for a writ of review in a court of competent jurisdiction for the purpose of reviewing the act and the finding of said board. Upon demand of either the accused or the accuser and deposit of necessary per diem charges of a stenographer employed for that purpose, all testimony adduced upon a hearing for revocation of license shall be taken down in shorthand and transcribed at the request and expense of either party demanding the same."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 857, with instructions to amend, respectfully reports the same back, amended as per instructions.

KLINE, Special Committee.

Report read, and on motion of Senator Taylor adopted.

Bill ordered to print and re-engrossment.

## RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

## ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 193—An act to

provide an institution for the confinement, cure, care and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof; and to make an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1069—An act to reserve from sale certain State lands, being the northeast quarter of the southwest quarter of section thirty-two, township eight north, range four west, and the west fifty-four and twenty-four hundredths acres of lot two of northwest quarter of section five, township five north, range twelve east, San Bernardino base and meridian, in San Bernardino County, and providing for the use thereof;

Also: Assembly Bill No. 1127—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School, and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law, approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, relating to salaries of probation officers in counties of the fifteenth class;

Also: Assembly Bill No. 1160—An act to amend section 3702 of the Political Code, relating to traveling expenses of the State Board of Equalization.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 1069 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1127 read first time, and referred to Committee on County Government.

Assembly Bill No. 1160 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 918—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917;

Also: Assembly Bill No. 974—An act to amend section 1 of an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude territory therefrom," approved March 20, 1889, relative to record of exclusion;

Also: Assembly Bill No. 975—An act to amend sections 4 and 10 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relative to municipal annexation procedure and the apportionment of road funds in connection therewith;

Also: Assembly Bill No. 1023—An act to amend sections 2754, 2755, and 2768 of the Political Code, relating to permanent road divisions;

Also: Assembly Bill No. 1036—An act requiring the labeling of all rebuilt electric storage batteries and the indication by label of the maximum discharge capacity in amperes of all new or rebuilt electric storage batteries.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 918, 974 and 975 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1023 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1036 read first time, and referred to Committee on Manufactures.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 793—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, as amended:

Also: Assembly Bill No. 813—An act to amend section 16 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to appointment to positions:

Also: Assembly Bill No. 828—An act to add a new section to the Civil Code to be numbered 606, relating to the organization of corporations for charitable and eleemosynary purposes:

Also: Assembly Bill No. 866—An act to amend section 2322c of the Political Code, relating to county horticultural commissioners:

Also: Assembly Bill No. 870—An act to amend sections 3 and 6 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended, and to add a new section thereto, to be numbered 11a.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 793 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 813 read first time, and referred to Committee on Civil Service.

Assembly Bill No. 828 read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bill No. 866 read first time, and referred to Committee on County Government.

Assembly Bill No. 870 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 28—An act to amend section 46 of the "California Irrigation District Act," approved March 31, 1897, relating to the entry of the record of assessment sales and the addition of penalties to assessments upon redemption.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 28 ordered to enrollment.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 597—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses:

Also: Assembly Bill No. 605—An act to amend section 16 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, relating to the reporting of contagious diseases:

Also: Assembly Bill No. 741—An act to amend section 2322r15 of the Political Code, relating to salary and compensation of horticultural commissioner in counties of the fifteenth class.

Also: Assembly Bill No. 743—An act to amend section 4244 of the Political Code, relative to fees and compensation of officers in the counties of the fifteenth class:

Also: Assembly Bill No. 765—An act to amend the title and sections 5 and 17 of an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, and to add thereto three new sections to be numbered 4½, 5½ and 23½, relating to the annexation by county sanitation districts of contiguous territory, the compensation of directors of such districts, and the dissolution of such districts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 597 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 605 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 741 and 743 read first time, and referred to Committee on County Government.

Assembly Bill No. 765 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 386—An act to amend section 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to reassessments:

Also: Assembly Bill No. 387—An act to amend sections 1 and 3 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, relating to cemetery districts:

Also: Assembly Bill No. 400—An act to amend section 2322r29 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies, inspectors, and clerk of the counties of the twenty-ninth class:

Also: Assembly Bill No. 449—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act:

Also: Assembly Bill No. 595—An act providing for the formation, government, operation, reorganization, dissolution and alteration of the boundaries of harbor districts for the improvement, development or protection of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 386 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 387 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 400 read first time, and referred to Committee on County Government.

Assembly Bill No. 449 read first time, and referred to Committee on Banking.

Assembly Bill No. 595 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 133—An act to amend sections 2322<sup>r</sup>21 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class;

Also: Assembly Bill No. 222—An act to amend section 1861<sup>a</sup> of the Civil Code, relating to the liens of keepers of furnished apartment houses and furnished bungalow courts;

Also: Assembly Bill No. 224—An act to amend section 341<sup>a</sup> of the Code of Civil Procedure, relating to actions to recover personal property left in hotels;

Also: Assembly Bill No. 230—An act to amend section 2322<sup>r</sup>19 of the Political Code, relating to the horticultural commissioner of counties of the nineteenth class;

Also: Assembly Bill No. 318—An act to amend section 1457 of the Penal Code, relating to the disposition of fines;

Also: Assembly Bill No. 319—An act to amend section 1570 of the Penal Code, relating to the disposition of fines.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 133 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 222 and 224 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 230 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 318 and 319 read first time, and referred to Committee on Judiciary.

### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash of warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Tubbs moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Baker, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Maloney, McKinley, Murphy, Pedrotti, Rush, Tubbs, Wagy, Weller, and West—18.

The Secretary announced the absentees.

Time, two o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

The Secretary was directed to call the roll on the passage of the bill of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 855 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 835—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 835 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RECESS.

At two o'clock and twenty-five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m., for the purpose of hearing remarks to be offered by Congressman Lea of California.

#### RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 409 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, and Weller—27.

NOES—Senators Canepa, Christian, Fellom, Gray, Hurley, Jones, Ray; Maloney, Mueller, Pedrotti, and West—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Tubbs.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 688—An act to amend section 4041f and to add a new section, to be numbered 4408a of the Political Code, relating to homes and meeting places for veterans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 688 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR NELSON IN THE CHAIR.

At three o'clock and twenty-eight minutes p.m., Senator Nelson of the First District was called to the chair.

Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to poll-lists and tally-lists, to add a new section 1174a to the Political Code, relating to roster and poll-lists, and to repeal section 1229 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 303 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 240—An act to amend sections 6, 11 and 16 of an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," and to add to said act a section, to be numbered 24b, relating to reassessments.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 240, as amended in Assembly March 16, 1927, to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

That in line 9, page 1, of said bill, the word "syamp" be stricken out and that there be inserted in lieu thereof the word "swamp".

AMENDMENT NUMBER TWO.

That in line 46, page 2, of said bill, the word "lie" be stricken out and that there be inserted in lieu thereof the word "lies".

AMENDMENT NUMBER THREE.

That in line 33, page 3, of said bill, the word "overflowed" be stricken out and that there be inserted in lieu thereof the word "overflow".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 240, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator Lyon adopted.

Bill ordered to print.

Assembly Bill No. 241—An act to validate bonds issued under Drainage District Improvement Act of 1919 and all proceedings relative thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 241 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Lyon, McKinley Mueller, Murphy, Nelson, Padrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—32.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 683—An act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 2047, and all acts and proceedings of said district and of the trustees and officers thereof and the proceedings relating to the inclusion of additional lands within the district, and defining and declaring the exterior boundaries of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 683 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 671—An act to amend section 2636 of the Political Code, relating to the naming and change of names of public highways. Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 671 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 383—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 44 47 and 47½ thereof, relating to the rights of the owner of real property upon assessment sale and the sale of such real property and the rights of the purchaser thereof and the redemption of property sold at delinquent assessment sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 383 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, and Weller—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Crowley:

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Request referred to Committee on Rules.



## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 265—An act to amend the California Irrigation District Act by amending sections 13, 19, 19*b*, 22*b* and 25 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 265 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, and Wagy—24.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a section thereto, to be designated as section 27*b*, relating to the deposit of funds of irrigation districts in banks, the receiving of interest thereon, and the taking of security for the safe keeping thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 266 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Crowley, Evans, Garrison, Handy, Hollister, Ingram, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Sharkey, Slater, Wagy, and Weller—21.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Crowley, to introduce a bill entitled—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called.

## CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Baker, Boggs, Breed, Canepa, Crowley, Evans, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Wagy, and Weller—25.

The Secretary announced the absentees.

Time, three o'clock and fifty-six minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

##### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 537—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending sections 85, 86, 87 and 90 thereof, relating to the inclusion of land within districts after their organization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 537 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Crowley, Evans, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, and Weller—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 538—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 56 thereof, relating to interference by irrigation districts with property subject to public use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 538 passed by the following vote:

AYES—Senators Boggs, Breed, Canepa, Crowley, Garrison, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C. Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Wagy, and Weller—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and three minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll on adoption of the report of Committee on Rules of the Senators who had not answered to their names.

The roll was called.

## CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Wagy, Weller, and West—29.

The Secretary announced the absentees.

Time, four o'clock and five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and seven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll on adoption of the report of Committee on Rules of the Senators who had not answered to their names.

The roll was called, and report of Committee on Rules adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Wagy, Weller, and West—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Breed: Senate Concurrent Resolution No. 25—Relative to an investigation and report upon educational facilities for the instruction of the deaf.

Referred to Committee on Education.

By Senator Crowley: Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupation of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.



## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class;

Also: Senate Bill No. 187—An act to amend section 628f of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 60—An act to amend section 19 of the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to evidence;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

## ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Senator Breed, the presiding Senator declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, March 29, 1927.

## IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, March 29, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Waggy, Weller, and West—37.

Quorum present.

## PRAYER.

Prayer was offered by the chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 28, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for this day.

Senator Swing was, on motion of Senator Fellom, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. F. O'Conner, county surveyor of Nevada County, California; Mr. J. C. Tyrrell, postmaster of Grass Valley, California, and Mr. A. H. Mooser, vice president Nevada County Bank, of Grass Valley, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Cuenin of the San Francisco Examiner, San Francisco, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. R. H. Thacker of Glendale, California; Mr. George Loomis of Modesto, California, and Mr. S. H. Finley, supervisor, of Orange County, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to O. H. Close, superintendent Preston School at Lone, California; L. A. West, attorney, of Santa Ana, California, and William C. Jerome, auditor of Santa Ana, California.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. William H. Waste, Chief Justice of the Supreme Court of California, and chairman of the Judicial Council of California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Martha J. Ferguson, civics and history teacher, and students of the Sierra School of Sacramento as follows: Peggy Raynor, Lorraine Massey, Bertha Fairchilds, Genevieve Gero, Adele Hullin, Evelyn Thomas, Allie Albrecht, Bernice Berryhill, Lillian Thomas, Olive Brink, Norma Porche, Gertrude Dorr, Beth Wentz, Ethel Kreutzer, Dorothy Garlick, Alma Rohrer, Mary Kercheval, Helen Kreutzer, Vera Madsen, Edward Reynolds, Alfred Giles, Eugene Crowell, Hawley Earl, Jack Canon, Ernest Kneppel, Donald Collins, Permin Everett, Joel Gardner, Arnold Groh, Jack Prudhomme, Frank Quimby and Charles Bever.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to students of Notre Dame High School: Katherine Arnoldy, Martha Backmann, Therese Duensing, Lorene Grennan, Ruth Loder, Margaret Weber, Catherine Willett, Margaret Dempsey, Bernardine Frandrup, Katherine Hageman, Helen Mason, Alberta Powell, Mary Roberts, Audrey Wendel, Anna Frandrup, Annette Hoffman, Alice Kerrigan, Henrietta Malloch, Jeanne Malloch, Elsa Remick, Katherine McAuliffe, Rose Rossetto, Caroline Sullivan, Evelyn Albrecht, Julia Dententer, Mary Margaret Hoffman, Alice King, Carrie Gomes, Amanda Moore, Chrysta Richards, Lois Smith, Muriel McCarthy, Myrtle Hacker, Mary Jane McGinnis, Betty Meacham, Consuela Arostegui, Mary Stennett, Grace Hoffmann, Loraine Rossi, Elsie Rossetti, Marnelle Hollingshead, Billie Richards, Hazel Heilman, Winnifred Selover, Bertha Matlock, Marjorie Goff, Elsa Dententer, Anna Sperbeck, Clara Chaves, Roberta Mason, Patricia Bilhartz, Mary Thomas, Carmelita Tihista, Betty Hammond, Imelda Webdell, George Wapple, Helen O'Brien, Alice Brady, Phyllis Maguire, Jane Coats, Helen Gorwood, Claire Berg, Francis Arnoldy, Anajo Nesslage, John Vaca, Leonor Gray, Joseph Schmidl, Wilma

Curran, Elyse Rossi, Eleanor Arnoldy, Lester Laner, Aloysius Frandrup, Purita Arostegui, and Sister Monica, Sister Elizabeth, Miss McMullen and Sister Julia Marie of the faculty.

#### WITHDRAWAL OF SENATE BILL.

Senator Murphy asked for and was granted unanimous consent to have Senate Bill No. 828 withdrawn from Committee on Public Charities and Corrections and re-referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

##### SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 192—An act to amend sections 1 and 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended;

Also: Senate Bill No. 788—An act to amend sections 364, 364a, 364b, 364c, and 364d of the Political Code and to add new sections to said code to be numbered sections 364e to 364i, inclusive, relating to a Department of Industrial Relations;

Also: Senate Bill No. 262—An act to amend section 36 of the Civil Code, relating to the disaffirmance of contracts by minors;

Also: Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations;

Also: Senate Bill No. 739—An act to add a new section to the Civil Code, to be numbered 452b, relating to mutual benefit and life insurance associations, and providing that such associations shall not pay or agree to pay any remuneration for solicitation of membership applications until they have complied with section 609 of the Political Code, and shall have procured a certificate of authority from the Insurance Commissioner, and shall have complied with all of the laws of this State applicable to such associations;

Also: Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of an assistant and deputies in such office, by fixing the salaries of such assistant and of the chief deputy and providing for the manner of fixing of the salaries of the additional deputies;

Also: Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the attorney general's office, fixing the salaries of the clerks and providing the manner of fixing the salaries of the phonographic reporter, the stenographers and the service agent;

Also: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 4 of article X thereof, relating to the State Board of Prison Directors;

Also: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to rights of persons accused of crime and the taking of depositions in criminal cases;

Also: Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder;

Also: Senate Bill No. 394—An act to amend sections 954 and 956 of the Penal Code, relating to pleadings and form of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases;

Also: Senate Bill No. 688—An act to amend section 204c of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties where there is a secretary of the judges of the superior court;

Also: Senate Bill No. 325—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on



property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended, by amending section 1 thereof, and by adding two new sections to be known as section 8½ and section 14½ to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto;

Also: Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also: Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plans for penalties for non-conformance thereto, that building permits shall conform to official master plans for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets;

Also: Senate Bill No. 371—An act to add a new section to the Penal Code, to be numbered 1275, relating to bail bonds;

Also: Senate Bill No. 370—An act to amend section 1280 of the Penal Code, and to repeal section 1280b of the Penal Code, relating to bail bonds and justification of sureties thereon;

Also: Senate Bill No. 369—An act to amend section 1280a, of the Penal Code, relating to bail bonds, providing that bail bonds shall constitute lien on property, and providing for the filing of notice with the county recorder, the justification of sureties on bonds, and for subsequent release of lien by the court;

Also: Senate Bill No. 540—An act to control and regulate the possession, sale and use of machine guns; providing for the registration of sales of machine guns; prohibiting the possession and use of machine guns, except by lawfully authorized persons, and to provide for their confiscation and destruction in certain cases; prohibiting the ownership, use or possession of machine guns by certain classes of persons; authorizing the granting of licenses to possess or carry machine guns; to provide for the licensing of retail dealers of such weapons;

Also: Senate Bill No. 368—An act to amend section 1288 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury;

Also: Senate Bill No. 413—An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury;

Also: Senate Bill No. 690—An act to amend sections 290b, 290c, 290d, 290e and 290f of the Civil Code, relating to corporations;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 238—An act to amend an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, by amending section 6 thereof, relating to elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bill No. 238 ordered on file for second reading.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, pro-

viding for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts. has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—11; committee vote: Ayes—7; absent—4.

LYON, Chairman.

Senate Bill No. 132 ordered on file for second reading.

#### SECOND READING OF BILL—(OUT OF ORDER).

Senator Lyon asked for and was granted unanimous consent to take up for second reading, out of the regular order, Senate Bill No. 132.

Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the word "four" and insert in lieu thereof the word "two".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 5, line 50, of the printed bill, strike out the word "in" and insert in lieu thereof the following: "Subject to the express limitations hereinbefore set out, in".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 7, line 32, of the printed bill, after the words "consist of" insert the following "at least".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 7, line 36, of the printed bill, after the word "by" and before the word "the" insert the following: "the chief executive officers of municipalities, respectively, with the consent and approval of".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 7, line 48, of the printed bill, after the period following the word "members" insert the following: "In lieu of one representative any city may at its option designate and appoint several representatives not exceeding one additional representative for each two hundred million dollars of assessed valuation, but such representatives shall cast the vote to which such city would otherwise be entitled as a unit and as the majority thereof shall determine".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 7, line 50, of the printed bill, strike out the words "and the affirmative votes" also strike out all of lines 51 and 52, and lines 1 and 2 on page 8.

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 9, line 16, of the printed bill, strike out the words "two thirds" and insert in lieu thereof the following: "a majority".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 10, line 47, of the printed bill, strike out the words "two thirds" and insert in lieu thereof "a majority".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 18, line 14, of the printed bill, strike out the words "submit to the electors of such munici-", also strike out all of lines 15, 16, 17, and 18, and the word "indebtedness" in line 19, and insert in lieu of the portion thus stricken out, the following: "apply to the board of directors of such metropolitan water district for consent to annex such municipality to the metropolitan water district. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which such city may be annexed to and become a part of the metropolitan water district, to the end that equal burdens, including bonded debt, and equal benefits may be extended to all parts of the district. The action of the board of directors evidenced by order made on motion shall be promptly transmitted to the governing body of such applying city, which governing body may thereupon submit to the qualified electors of such city, at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein provided."

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 18, line 25, of the printed bill, strike out the words "substance of the statement furnished"; also in line 26, strike out the words "hereunder by the controller of the district", and insert in lieu of the portion so stricken out, the following: "substance of the terms and conditions fixed by the board of directors, as herein provided".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 18, line 33, of the printed bill, strike out the words "and upon acceptance of such annexation by the"; also strike out all of line 34, and the words "number of votes of all of the members of the district" in line 35, and in lieu of the words so stricken out, insert the word "and".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 18, line 42, of the printed bill, after the word "district" and before the period insert the following: "in accordance with the terms and conditions fixed by the board of directors as herein provided."

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 7, line 46, of the printed bill, strike out the word "representative" and insert in lieu thereof the word "municipality".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Municipal Corporations.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 499—An act to authorize the repayment of money paid or collected by error or mistake or under an unconstitutional law:

Also: Senate Bill No. 652—An act appropriating money for the placing of statues in the Hall of Fame at the city of Washington, District of Columbia;



Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote, Ayes—14; absent—4.

INMAN, Chairman.

Senate Bills Nos. 499 and 652 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, providing penalties and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—18; committee vote, Ayes—14; absent—4.

INMAN, Chairman.

Senate Bill No. 807 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Concurrent Resolution No. 17—Relative to selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote, Ayes—12; absent—6.

INMAN, Chairman.

Senate Concurrent Resolution No. 17 ordered on file.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 500—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 500 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 340—An act to amend the Penal Code by adding a new section to be known as section 533c, thereto, relating to offenses against or concerning building and loan associations and prescribing penalties for violation of the provisions of the act.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 340 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 15—An act to amend section 653e of the Penal Code, relating to the hours of labor on public works, by requiring contractors, or their agents, to file with the officer, board or commission awarding the contract a verified report as to the nature of any extraordinary emergency when their employees are permitted to work over eight hours per day, together with the names of the said employees and the hours worked per day, making failure to file said report within thirty days prima

facie proof that no extraordinary emergency existed, also making it a misdemeanor for any contractor or subcontractor on public work, or agent thereof, to violate any of the provisions of the said section;

Also: Assembly Bill No. 43—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election;

Also: Assembly Bill No. 930—An act to amend sections 2, 3, 4, 5, 6 and 13 of an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917; as amended," approved June 3, 1921; as amended, approved May 26, 1923; as amended, approved April 10, 1925, as amended, relating to apple packing and grading.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 15 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 43 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 930 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 582. An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 582—An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY-TWO.

##### AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the word "transcript", insert a semicolon and the following: "or (4) shall use or attempt to use any such diploma, certificate or transcript".

##### AMENDMENT NUMBER TWO.

On page 2, of the printed bill, strike out all of lines 21, 22, 23, and 24.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 582?

The roll was called, and Assembly amendments to Senate Bill No. 582 concurred in by the following vote:

AYES—Senators Allen, J. M. Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Taylor, Waggy, Weller, and West—29.

NOES—None.

## WITHDRAWAL OF SENATE BILL.

Senator Cobb moved that Senate Bill No. 256 be withdrawn from Committee on Public Morals and placed on file.

The Secretary was directed to call the roll.

The question being upon the motion to withdraw Senate Bill No. 256 from Committee on Public Morals and place on file.

The roll was called, and the motion to withdraw Senate Bill No. 256 from Committee on Public Morals and place on file carried by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Taylor, Wagy, Weller, and West—29.

NOES—Senators Allen, N. M., Gray, Lyon, Mueller, and Pedrotti—5.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 366—An act to amend section 135 of the Penal Code, relating to forfeiture of bail bonds.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the words "and judgment on the bail bond must be entered forth-".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the first word "with".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "sixty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the comma following the word "amount" insert the following: "sixty days after such forfeiture, if the same has not been set aside,".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the word "forthwith".

Amendment adopted.



## AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, after the word "court" add the following "sixty days after such forfeiture, if the same has not been set aside."

**Amendment adopted.**

## AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, strike out the word "forthwith".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to jurisdiction of and divisions of Supreme and appellate courts.

## COMMITTEE AMENDMENTS.

During the reading of the constitutional amendment, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 14 of the title of the printed bill, as amended March 21, 1927, strike out the word "six".

**Amendment adopted**

## AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, as amended March 21, 1927, strike out the roman numeral "XI" and insert in lieu thereof "VI".

**Amendment adopted.**

## AMENDMENT NUMBER THREE.

On page 2, line 21, of the printed bill, as amended March 21, 1927, strike out the roman numeral "XI" and insert in lieu thereof "VI".

**Amendment adopted.**

## AMENDMENT NUMBER FOUR.

On page 2, line 28, of the printed bill, as amended, after the word "municipal" insert the word "fine".

**Amendment adopted.**

## AMENDMENT NUMBER FIVE.

On page 2, line 45, of the printed bill, as amended, strike out the word "judge" and insert in lieu thereof the word "justice".

**Amendment adopted.**

## AMENDMENT NUMBER SIX.

On page 2, line 48, of the printed bill, strike out the roman numeral "XI" and insert in lieu thereof "VI".

**Amendment adopted.**

## AMENDMENT NUMBER SEVEN.

On page 5, line 6, of the printed bill, as amended, strike out the roman numeral "XI" and insert in lieu thereof "VI".

**Amendment adopted.**

## AMENDMENT NUMBER EIGHT.

On page 5, line 36, of the printed bill, as amended, strike out the roman numeral "XI" and insert in lieu thereof "VI".

**Amendment adopted.**

## AMENDMENT NUMBER NINE.

On page 7, line 21, of the printed bill, as amended, strike out the roman numeral "XI" and insert in lieu thereof "VI".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 8, line 20, of the printed bill, as amended, strike out the roman numeral "XI" and insert in lieu thereof "VI".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 8, line 31, of the printed bill, as amended, strike out the roman numeral "XI" and insert in lieu thereof "VI".

Amendment adopted.

Senate Constitutional Amendment No. 12 read, ordered to print, engrossment, and on file.

## SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 110—An act to amend section 1 of an act entitled "An act to provide for the regulation, control and licensing of any person, firm or corporation engaging in the business of milling, sampling, concentrating, reducing, purchasing, or receiving for sale ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold inillion, nuggets, or specimens, to provide rules and regulations therefor and to provide penalties for the violation of the provisions of this act," approved April 15, 1925, relating to licenses.

## COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the title of the amended printed bill, line 2, after the word "amend" insert the following: "the title and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 1, of the amended printed bill, following "Section 1." strike out "Section 1" and insert in lieu thereof the words "The title".

Amendment adopted

## AMENDMENT NUMBER THREE.

On page 1 of the amended printed bill, following line 10, insert the following: "An act to provide for the regulation, control and licensing of any person, firm or corporation engaging in the business of milling, sampling, concentrating, reducing, refining, purchasing or receiving for sale ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold bullion, nuggets or specimens; to provide rules and regulations therefor; and to provide penalties for the violation of the provisions of this act.

SEC. 2. Section 1 of said act is hereby amended to read as follows:"

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 15, of the amended printed bill, strike out the figure "2" and insert in lieu thereof the figure "3".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 24, of the amended printed bill, strike out the figure "3" and insert in lieu thereof the figure "4".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 36, of the amended printed bill, strike out the figure "4" and insert in lieu thereof the figure "5".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 387 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline,



Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Wagy, Weller, and West—28.

NOES—Senators Allen, J. M., and Fellom—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 386 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Cobb, Crowley, Evans, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and Weller—24.

NOES—Senators Allen, J. M., Allen, N. M., Canepa, Fellom, Garrison, Gray, Jones, H. C., Jones, Ray; Maloney, and West—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of twelve o'clock and thirty-five minutes p.m.

#### RECONVENED.

At twelve o'clock and thirty-five minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Sharkey, further consideration of the motion to reconsider the vote whereby Senate Bill No. 846 was refused passage was continued until the next legislative day.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 192—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman,

Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 101 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 21, of the amended printed bill, strike out the period after the word "dollars" and add the following: "per annum".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 101, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print and re-engrossment.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and forty-two minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

SENATOR WELLER IN THE CHAIR.

At twelve o'clock and forty-three minutes p.m., Senator Weller of the Thirty-sixth District was called to the chair.

Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act," relating to registration fees.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Maloney moved to refer Senate Bill No. 709 to Senator Tubbs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, as amended on March 16, 1927, after line 28, add the following:

"Provided, however, that taxicabs, hotel buses, motor drays and transfer vehicles which do not operate upon the state or county highways but operate exclusively within the limits of incorporated cities or between incorporated cities where no state or county highway is traversed shall pay one-fourth of the fees specified in subdivision (c) of this section".

Motion lost.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 709 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, McKinley, Mueller, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and Weller, 29.

NOES—Senators Canepa, Gray, Maloney, Murphy, and West—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1916, as amended, relating to fish and game districts.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Senate Bill No. 635 to Senator Chamberlin, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines from 9 to 19, inclusive, and all of page 2, and insert in lieu thereof the following:

SEC. 39. Fish and game district twelve "B" shall consist of and include all waters and tidelands to high water mark of the Carquinez straits not included within fish and game district twelve, the waters and tidelands to high water mark of Suisun bay, all waters of the Sacramento river flowing within the main channel between the mouth thereof and the M street bridge at Sacramento and main channel of Steamboat slough and Sutter slough; and the waters of New York slough and Broad slough; also all waters of the San Joaquin river flowing in the main channel thereof, between its mouth and the Santa Fe railroad bridge across said river near Stockton; all waters of Old river flowing within the main channel thereof between its mouth and the Santa Fe railroad bridge across said river at Orwood; all waters of Middle river flowing within the main channel thereof between its mouth and the Santa Fe railroad bridge across said river; all waters of Connection slough between the main channel of the Old river and the main channel of Middle river; all waters of Columbia cut flowing therein between the main channel of Middle river and the main channel of the San Joaquin river; all waters of Lathan slough flowing therein between the main channel of Middle river and Empire cut; all waters of Burns cut-off around Rough and Ready island.

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 635, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Chamberlin adopted.

Bill ordered to print and re-engrossment.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein"—and reports that the same has been correctly re-engrossed.

JONES RAY, Chairman.



Also :

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 178—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

Also :

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 641—An act to amend section 19b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to probation officers;

Also: Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentence under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Concurrent Resolution No. 22—Relating to investigation by the Attorney General into the legality of Assembly Bill No. 1206, chapter LXV, of the 1925 session of the Legislature, and the contract entered into pursuant to said bill for the sale of the Folsom Reservoir site—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Senate Concurrent Resolution No. 22 ordered on file.

Also :

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 22—Relative to an investigation and report as to needed revision of the statutes of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Assembly Concurrent Resolution No. 22 ordered on file.

Also :

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estate to nonresident persons;

Also: Senate Bill No. 735—An act to amend section 928 of the Penal Code, relating to grand juries;

Also: Senate Bill No. 825—An act to amend section 1313 of the Civil Code, relating to devises for charitable purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Senate Bills Nos. 705, 735 and 825 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 3—An act to amend section 925 of the Penal Code, relating to grand juries; Also: Assembly Bill No. 163—An act to amend section 4313 of the Political Code, relating to absence of county officers from the State;

Also: Assembly Bill No. 503—An act to amend section 4295 of the Political Code, relating to official fees and services;

Also: Assembly Bill No. 504—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Assembly Bills Nos. 3, 163, 503, and 504 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

#### SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 36—An act to provide for the formation, powers, government, operation and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein;

Also: Assembly Bill No. 37—An act to amend an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by adding thereto a new section to be known as section 19a, to provide for the joint administration of county sanitation districts;

Also: Assembly Bill No. 178—An act to amend section 13 of the "State Medical Practice Act," approved June 2, 1913, as amended, relating to reciprocity certificates;

Also: Assembly Bill No. 765—An act to amend the title and sections 5 and 17 of an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, and to add thereto three new sections to be numbered 4½, 5½ and 23½, relating to the annexation by county sanitation districts of contiguous territory, the compensation of directors of such districts, and the dissolution of such districts;

Also: Senate Bill No. 834—An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Assembly Bills Nos. 36, 37, 178 and 765 ordered on file for second reading.

Senate Bill No. 834 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3a and 3b respectively, relating to licenses;

Also: Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes 7; absent—4.

CROWLEY, Chairman.

Senate Bills Nos. 107 and 312 ordered on file for second reading.

#### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 3, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 569—An act to provide for the accomplishment of grade crossing separations over the highways of the State of California, providing that a certain per centum of all State funds hereafter raised by taxation for the construction of highways shall be used exclusively to defray the cost of grade crossing separations hereafter made over the said State highways; and providing, further, that said funds so made available for such grade crossing separations shall be expended at such times and in such amounts and for the separation of such grade crossings as the California Railroad Commission in the exercise of its discretion shall direct—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Senate Bill No. 569 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 336—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony, to the city of Pomona for the Pomona-La Verne-Clearmont outfall sewer for the purpose of a right of way for sewer pipes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bill No. 336 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended relating to the ownership of pharmacies or drug stores;

Also: Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act;



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bills Nos. 176 and 875 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 858—An act to provide for the formation, powers, duties, government, and maintenance of health and sanitary districts in the State; the acquisition, maintenance, improvement, and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act;

Also: Assembly Bill No. 738—An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for the violation thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bill No. 858 ordered on file for second reading.

Assembly Bill No. 738 ordered on file for second reading.

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 319—An act to establish a Division of School Planning in the State Department of Education and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to Committee on Finance.

Committee membership—18; committee vote: Ayes—14; absent—4.

INMAN, Chairman.

Senate Bill No. 319 ordered on file for second reading.

#### EXECUTIVE SESSION.

At one o'clock and thirty minutes p.m., Senator West moved, duly seconded by Senator Fellom, that the Senate do now go into executive session.

Motion carried, and such was the order.

#### ADJOURNMENT.

At two o'clock and twenty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, March 30, 1927.

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#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, March 30, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—39.

Quorum present.

## PRAYER.

Prayer was offered by the chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 29, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Walter J. Schmidt of San Francisco, California.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Griffith Jones of Los Angeles, California.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. George Habersfelde of Bakersfield, California, and Grace S. Dorris, former member of the Assembly from Bakersfield, Kern County, California.

On request of Senator Hurley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. W. Brewer, city clerk of Albany, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Forbes, principal, and students of the Fair Oaks Grammar school as follows: Gertrude Fitzgerald, Mildred McNabb, Frances Broadley, Noma Milligan, Antonelle Decetis, Elsie Cooper, Wilma Obenshain, Gladys Cochran, Lillian Russell, Ruth Rice, Harold Fowler, Glen Gallaher, Jesse Raymond, Thruston Campbell, William Hoover, William Kennedy, Daniel Rice, Gordon Russell, Harry Bosco, Hason Murphy, Harold Milligan and Jules Decetis.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Sutter Union Branch High School of East Nicolaus, California, William R. Dawson, principal, and students as follows: Helen Anderson, Annie Barta, Gilbert Boyd, Alice Compton, Milton Compton, Bethyl Coppin, Chester Coppin, Clifford Coppin, Virginia Coppin, Louise Corliss, Edward Davis, Mary Decker, Watts Delameter, Melba Drennon, Elvin English, Juleen Glenn, Joe Griffith, Bernice Inman, Ramona James, Margaret Jewell, Arthur Johnson, Ben Johnson, Lucille Keys, Edmund Kier, Agnes Kirkman, Louise Kirkey, Bill Hudson, Donald McRae, Jack McWilliam, Albert May, Magdalen May, Leland Mebine, Loran Mebine, Mildred Meeks, Louise Michel, Alice Regli, Verda Renner, Eda Richmond, Roy Rich-

mond, Geraldine Rolufs, Leonard Sagerty, Marion Sagerty, Elmber Scheiber, Emil Scheiber, Evelyn Scheiber, George Seeband, Ardell Sutton, Edith Swason, Vera Tares, Evelyn Thornton, Gilbert Treathan and Howard Van Dyke, and faculty: Miss Minnie Bramman, Miss Mabel Ranck, Miss Pearl Degenhart and Miss June Ridge, teachers.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to St. Joseph Academy, Sacramento, California, seventh and eighth grade pupils as follows: Maud Bulkley, Jean Clayton, Johanna De Puli, Ensor Deason, Helen Fratis, Alma Garrett, Marie Kilkenny, May King, Margaret Mary Lang, Rosaline Lewis, Helen Longwich, Leonora McKenzie, Mary Murphy, Mercy McDougall, Mary McGuire, Rosalie Moskovitz, Mary McDaniel, Peggy Place, Mary E. Robbins, Tillie Riolo, Veronica Silva, Jennie Sugar, Anna Spera, Dorothy Shirley, Rose Smethurst, Ruth Truax, Mildred Van Vleit, Dorothy Wickman, Loretta Willis, Mary Ward, Ellen Ward, Vivian Lundlee, Patricia Burke, Clara Burke, James Lavery, Paul Farrell, Howard Scott, Dominick Stanich, George Sutter, Aloysius Garcia, Lester Sweeney, Alfred Constantine, Leo Dorney, Vincent Cuccchi, Arthur Reverin, Alice Shaffer and Cecil Andrews, and Sister Mary Francis and Sister Mary Patrick, of the faculty.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. W. Fletcher, Mr. M. E. Meader, Mr. Walter F. Arms and Mr. A. J. Lanck, members of the Los Angeles grand jury, Los Angeles, California.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge W. A. Sloane of San Diego, California.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 162.—An act to amend section 2, of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, as amended, relating to bridge and highway districts;

Also: Assembly Bill No. 247.—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section, to be numbered 206, relating to a reservation of a portion of the waters, originating within a county for use within said county of origin and providing for the appropriation and use of such water, declaring all portions of said "Water Commission Act" not inconsistent with this amendment to be applicable thereto, and declaring the provisions of section 46 of said "Water Commission Act" to be applicable to this amendment;

Also: Assembly Bill No. 263.—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman,



or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 162 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 247 read first time, and referred to Committee on Conservation.

Assembly Bill No. 263 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 158—An act to amend sections 4 and 5 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended;

Also: Assembly Bill No. 305—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19 and 21 of the General Dairy Law of California, relating to milk and products of milk and containers thereof, labeling adulterants, dairy plant sanitation, pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith, and making an appropriation for the enforcement of this act;

Also: Assembly Bill No. 382—An act to amend section 24 of an act entitled "An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for the irrigating of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; for the inclusion therein of irrigation districts, water storage districts, reclamation districts, drainage districts, and other political subdivisions of the State, as constituent districts or units of said water conservation districts, and the manner of providing funds and the voting and issuance of bonds by such political subdivisions, to carry out the purposes of this act; and creating a State board to be known as the 'State Irrigation Board,' and defining its powers and duties, and the methods and procedure of exercising such powers and duties," approved June 18, 1923, as amended;

Also: Assembly Bill No. 1190—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

Also: Assembly Bill No. 614—An act to amend section 273h of the Penal Code, compelling persons convicted under sections 270, 270a, 270b, 271 or 271a of this code to work.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 158 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 305 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 382 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1190 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 614 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 938—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, authorizing a reclamation district that may have sold or transferred any of its levees or property to Sacramento and San Joaquin Drainage District, Sutter-Butte By-Pass Project No. 6, or any other unit or project, and received warrants issued by said Sacramento and San Joaquin Drainage District, or Sutter-Butte By-Pass Project No. 6, or any other project thereof, in exchange or payment therefor, or may have received or may receive compensation for any property included in any plan now or that may hereafter be adopted for controlling the flood waters of Sacramento and San Joaquin rivers, or their tributaries, to exchange said warrants for outstanding warrants issued by such reclamation district and also providing that in any new, additional or supplemental assessment of such reclamation district, there shall be determined the amount that should be assessed upon tracts of land the benefits accrued from the expenditures represented by the warrants of the reclamation district exchanged or paid for by warrants of Sacramento and San Joaquin Drainage District, and also the amount that should have been apportioned of warrants of Sacramento and San Joaquin Drainage District, and providing that if the amount that would have been assessed against each tract of land is greater than the amount to which such tract or owner thereof would have been entitled on distribution of warrants, such excess shall be assessed to each tract of land and if the amount be less, the difference shall be paid to the owner of such tract by such reclamation district:

Also: Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors:

Also: Senate Bill No. 299—An act to amend sections 1830, 1836 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes:

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

## ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act", approved May 30, 1923, as amended, relating to headlights—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—10; absent—5.

KLINE, Chairman.

Senate Bill No. 492 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Bill No. 431—An act to create a Bureau of Inspection and to regulate the same and to provide for the monthly inspection of steering gears, running gears and brakes, and electrical apparatus of all vehicles employed in intrastate traffic; and to provide a penalty for violating such regulations as shall be imposed by such bureau—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—15; committee vote: Ayes—10; absent—5.

KLINE, Chairman.

Senate Bill No. 431 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Concurrent Resolution No. 19—Providing for the creation of a joint committee of the Senate and Assembly to investigate traffic conditions in the State of

California and the question of safety and prevention of accidents in relation thereto; to prepare and make recommendations concerning changes in existing laws, and the enactment and/or enforcement of laws relating to the use and operation of vehicles on the public highways, and to prepare and submit with supporting facts, ascertained, a report as to the advisability of the adoption of a law requiring financial security on the part of persons operating motor vehicles upon the highways of this State and making appropriations to meet the expenses of said committee necessarily incurred in said work—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—15; committee vote: Ayes—10; absent—5.

KLINE, Chairman.

Assembly Concurrent Resolution No. 19 ordered on file.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 499—An act to authorize the repayment of money paid or collected by error or mistake or under an unconstitutional law.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was submitted:

##### AMENDMENT NUMBER ONE.

In line 9 of the printed bill, after the word "determine" insert the following: "upon the advice of the attorney general".

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 652—An act appropriating money for the placing of statues in the Hall of Fame at the city of Washington, District of Columbia.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 3, inclusive, of said title and insert in lieu thereof the following:

An act creating in the division of libraries a commission on California representation at the national statutory hall at Washington, D. C., and defining the powers and duties thereof.

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

SECTION 1. A commission on California representation at the statutory hall at Washington, D. C., is hereby created in the division of libraries to make suitable arrangements for the erecting of statues of Junipero Serra and Thomas Starr King in the statutory hall in the capitol building at the city of Washington, D. C. The commission shall consist of the state librarian and four members appointed by the governor.

SEC. 2. The commission shall cause models of said statues to be prepared and shall have full power and authority to pass upon and determine the models to be used and to select and appoint the sculptor or sculptors who shall make said statues, and to do any and all things necessary or incidental to provide for the erecting of said statues and each thereof in the national statutory hall.

SEC. 3. The commission shall have power to organize its work and shall meet at such times and places as may be designated and determined by the commission for the proper performance of its duties. The members of the commission shall serve as such without compensation except that they shall be entitled to receive the actual necessary expenses incurred by them in the performance of their duties under



the provisions of this act. All expenditures by the commission shall be paid out of the appropriations or funds available for the support of the state library, upon claims presented and signed by the state librarian in accordance with law.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, providing penalties and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Concurrent Resolution No. 17—Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall.

#### COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed resolution, strike out the words: "John Charles Fremont and Jean Rodriguez Cabrillo" and insert in lieu thereof the following: "Junipero Serra and Thomas Starr King".

**Amendment adopted.**

Senate Concurrent Resolution No. 17 read, ordered to print, engrossment, and on file.

Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estates to nonresident persons.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 735—An act to amend section 928 of the Penal Code, relating to grand juries.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 825—An act to amend section 1313 of the Civil Code, relating to devises for charitable purposes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 834—An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics.

to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 569—An act to provide for the accomplishment of grade crossing separations over the highways of the State of California, providing that a certain per centum of all State funds hereafter raised by taxation for the construction of highways shall be used exclusively to defray the cost of grade crossing separations hereafter made over the said State highways and, providing further, that said funds so made available for such grade crossing separations shall be expended at such times and in such amounts and for the separation of such grade crossings as the California Railroad Commission in the exercise of its discretion shall direct.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all of the title after the words "an act to provide" in line 1, and insert in lieu thereof the following: "for the separation of crossings of highways and steam and electric railways in the State of California, providing that certain funds shall be devoted to said purposes to be expended by the California highway commission subject to certain orders of the state railroad commission."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 10, both inclusive, and insert in lieu thereof the following:

SECTION 1. The amount of five per centum (5%) of the money available and expendable each year by the California highway commission under any law of this state for the maintenance, repair, widening, resurfacing or reconstruction of state highways shall be used by the California highway commission to defray the cost of separating crossings of state highways and steam or electric railways. The railroad commission of this state in the exercise of the authority vested in it to direct and effect the separation of grade crossings may direct the California highway commission with respect to the grade crossings to be separated and the amounts to be expended thereon out of the fund made available hereunder.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 336—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony, to the Pomona-La Verne-Clairemont Sewer District, for the purpose of a right of way for sewer pipes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches

of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 858—An act to provide for the formation, powers, duties, government and maintenance of health and sanitary districts in the State; the acquisition, maintenance, improvement and disposal of property thereby; the acquisition, construction, maintenance and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, before the figure "2", insert the following: "Sec."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, strike out the following: "section 7", and insert in lieu thereof "sections 55, 56, 57, 58 and 59".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9, of the printed bill, before the figure "3", insert the following: "Sec."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 29, of the printed bill, before the figure "4", insert the following: "Sec."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 43, of the printed bill, before the figure "5", insert the following: "Sec."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 6, of the printed bill, before the figure "6", insert the following: "Sec."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 25, of the printed bill, before the figure "7", insert the following: "Sec."

Amendment adopted.



## AMENDMENT NUMBER EIGHT.

On page 4, line 33, of the printed bill, before the figure "8", insert the following:  
"Sec."

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 5, line 12, of the printed bill, before the figure "9", insert the following:  
"Sec."

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 5 of the printed bill, strike out line 38.

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 5, line 39, of the printed bill, before the figure "10", insert the following:  
"Sec."

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 6, line 4, of the printed bill, after the word "other", insert the following:  
"wise dispose of real and personal property as may be necessary".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 5, line 5, of the printed bill, strike out the following: "sary".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 6, line 49, of the printed bill, insert a comma after the word "control".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 6, line 50, of the printed bill, strike out the word "and".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 6, line 50, of the printed bill, after the word "regulation", insert the following: "and promotion".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 7, line 12, of the printed bill, after the word "garbage", insert the following: "collection and disposal".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 7, line 12, of the printed bill, after the comma following the word "control", insert the following: "for a water supply and the purification and control thereof, in the district".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 7, line 13, of the printed bill, after the word "for", insert the following:  
"the control and promotion of all".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 7, line 13, of the printed bill, strike out the word "matters", and insert in lieu thereof the following: "protection and betterment within the district".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 13, of the printed bill, after the word "mosquito", insert a comma and add the following: "odor".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 38, of the printed bill, before the figures "11", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER TWENTY-THREE.

On page 11, line 4, of the printed bill, before the figures "12", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FOUR.

On page 11, line 43, of the printed bill, strike out the first words "And it", and insert in lieu thereof the following:  
"Sec. 12a. Penalties. It".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-FIVE.

On page 11, line 49, of the printed bill, before the figures "13", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SIX.

On page 12 of the printed bill, strike out line 42.

Amendment adopted.

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 43, of the printed bill, before the figures "14", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 13, line 20, of the printed bill, before the figures "15" insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER TWENTY-NINE.

On page 13, line 20, of the printed bill, before the figures "15", insert the following:

Amendment adopted.

## AMENDMENT NUMBER THIRTY.

On page 14, line 10, of the printed bill, strike out the following: "case of extraordinary emergencies"; and strike out lines 11, 12, 13 and the following in line 14 of the printed bill: "tion of normal conditions. In".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-ONE.

On page 14, line 32, of the printed bill, before the figures "17", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-TWO.

On page 15, line 12, of the printed bill, before the figures "18", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-THREE.

On page 15, line 29, of the printed bill, before the figures "19", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-FOUR.

On page 16, line 27, of the printed bill, before the figures "20", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-FIVE.

On page 16, line 48, of the printed bill, before the figures "21", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-SIX.

On page 17, line 22, of the printed bill, strike out the word "provisions", and insert in lieu thereof the word "provision".

Amendment adopted.

## AMENDMENT NUMBER THIRTY-SEVEN.

On page 17, line 23, of the printed bill, before the figures "22", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-EIGHT.

On page 17, line 48, of the printed bill, before the figures "23", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER THIRTY-NINE.

On page 19, line 32, of the printed bill, before the figures "24", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FORTY.

On page 19, line 48, of the printed bill, strike out the figures "23", and insert in lieu thereof the following: "Sec. 25".

Amendment adopted.

## AMENDMENT NUMBER FORTY-ONE.

On page 21, line 21, of the printed bill, before the figures "26", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FORTY-TWO.

On page 21, line 31, of the printed bill, before the figures "27", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FORTY-THREE.

On page 21, line 48, of the printed bill, before the figures "28", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FORTY-FOUR.

On page 22, line 11, of the printed bill, before the figures "29", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FORTY-FIVE.

On page 22, line 29, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Amendment adopted.

## AMENDMENT NUMBER FORTY-SIX.

On page 23, line 7, of the printed bill, before the figures "30", insert the following: "Sec."

Amendment adopted.



## AMENDMENT NUMBER FORTY-SEVEN.

On page 23, line 36, of the printed bill, before the figures "31", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FORTY-EIGHT.

On page 24, line 6, of the printed bill, before the figures "32", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FORTY-NINE.

On page 24, line 47, of the printed bill, before the figures "33", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FIFTY.

On page 25, line 31, of the printed bill, before the figures "34", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FIFTY-ONE.

On page 25, line 31, of the printed bill, strike out the word "district", and insert in lieu thereof the word "county".

Amendment adopted.

## AMENDMENT NUMBER FIFTY-TWO.

On page 25, line 32, of the printed bill, strike out the word "chief".

Amendment adopted.

## AMENDMENT NUMBER FIFTY-THREE.

On page 25, line 32, of the printed bill, strike out the word "county", and insert in lieu thereof the word "district".

Amendment adopted.

## AMENDMENT NUMBER FIFTY-FOUR.

On page 26, line 19, of the printed bill, before the figures "35", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FIFTY-FIVE.

On page 26, line 40, of the printed bill, before the figures "36", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FIFTY-SIX.

On page 26, line 46, of the printed bill, before the figures "37", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FIFTY-SEVEN.

On page 27, line 1, of the printed bill, before the figures "38", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FIFTY-EIGHT.

On page 27, line 6, of the printed bill, before the figures "39", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER FIFTY-NINE.

On page 27, line 14, of the printed bill, before the figures "40", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY.

On page 27, line 20, of the printed bill, before the figures "41", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY-ONE.

On page 27, line 27, of the printed bill, before the figures "42", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY-TWO.

On page 28, line 10, of the printed bill, before the figures "43", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY-THREE.

On page 28, line 24, of the printed bill, before the figures "44", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY-FOUR.

On page 28, line 45, of the printed bill, before the figures "45", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY-FIVE.

On page 29, line 4, of the printed bill, before the figures "46", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY-SIX.

On page 29, line 12, of the printed bill, before the figures "46a", insert the following: "Sec."

Amendment adopted.

## AMENDMENT NUMBER SIXTY-SEVEN.

On page 29, line 17, of the printed bill, strike out the semicolon following the word "emergencies", and insert in lieu thereof a comma.

Amendment adopted.

## AMENDMENT NUMBER SIXTY-EIGHT.

On page 29, line 17, of the printed bill, strike out the word "of", and insert in lieu thereof the word "for".

Amendment adopted.

## AMENDMENT NUMBER SIXTY-NINE.

On page 29, line 18, of the printed bill, strike out the first word "of", and insert in lieu thereof the word "for".

Amendment adopted.

## AMENDMENT NUMBER SEVENTY.

On page 29, line 23, of the printed bill, strike out the first word "of", and insert in lieu thereof the word "or".

Amendment adopted.

## AMENDMENT NUMBER SEVENTY-ONE.

On page 30 of the printed bill, strike out lines 16, 17 and 18.

Amendment adopted.

## AMENDMENT NUMBER SEVENTY-TWO.

On page 30, line 19, of the printed bill, before the figures "47", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTY-THREE.

On page 31, line 5, of the printed bill, before the figures "47a", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTY-FOUR.

On page 31, line 26, of the printed bill, before the figures "48", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTY-FIVE.

On page 32, line 27, of the printed bill, before the figures "49", insert the following: "Sec."

**Amendment adopted**

## AMENDMENT NUMBER SEVENTY-SIX.

On page 32, line 43, of the printed bill, before the figures "50", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTY-SEVEN.

On page 33, line 43, of the printed bill, before the figures "51", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTY-EIGHT.

On page 34, line 32, of the printed bill, before the figures "52", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER SEVENTY-NINE.

On page 35 of the printed bill, strike out line 12.

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY.

On page 35, line 13, of the printed bill, before the figures "53", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-ONE.

On page 35 of the printed bill, strike out line 31.

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-TWO.

On page 35, line 32, of the printed bill, before the figures "54", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-THREE.

On page 36 of the printed bill, strike out lines 32 and 33.

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-FOUR.

On page 36, line 34, of the printed bill, before the figures "55", insert the following: "Sec."

**Amendment adopted**



## AMENDMENT NUMBER EIGHTY-FIVE.

On page 37, line 22, of the printed bill, before the figures "56", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-SIX.

On page 37, line 24, of the printed bill, strike out the word "paragraph" and insert in lieu thereof the word "section".

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-SEVEN.

On page 37, line 49, of the printed bill, before the figures "57", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-EIGHT.

On page 38, line 27, of the printed bill, before the figures "58", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER EIGHTY-NINE.

On page 40, line 7, of the printed bill, before the figures "59", insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER NINETY.

On page 40, line 14, of the printed bill, strike out the following: "ac" and insert in lieu thereof the word "act".

**Amendment adopted.**

## AMENDMENT NUMBER NINETY-ONE.

On page 40 of the printed bill, strike out line 20.

**Amendment adopted.**

## AMENDMENT NUMBER NINETY-TWO.

On page 40, line 21, of the printed bill, before the figures "60" insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER NINETY-THREE.

On page 40 of the printed bill, strike out line 30.

**Amendment adopted.**

## AMENDMENT NUMBER NINETY-FOUR.

On page 40, line 31, of the printed bill, before the figures "61" insert the following: "Sec."

**Amendment adopted.**

## AMENDMENT NUMBER NINETY-FIVE.

On page 2 of the printed bill, between lines 3 and 4, insert a new paragraph to read as follows:

*Provided, however*, that no health and sanitary district shall be formed under this act which shall include any territory located within the exterior boundaries of any local health district formed and organized under and pursuant to that certain act of the Legislature of the State of California, entitled "An act to provide for the formation, government, organization, operation and dissolution of local health districts in any part of the state, and for changing the boundaries thereof, the appointment and compensation of local district health officers, their deputies and assistants, defining the qualifications, powers and duties of such officers; and to provide for the assessment, levy, collection, custody and disbursement of taxes therein." approved May 21, 1917.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 319—An act to establish a Division of School Planning in the State Department of Education and making an appropriation therefor.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "to establish" and insert in lieu thereof the following: "to add a new section to article two of chapter three of title one of part three of the Political Code to be numbered 362g, relating to the establishment of".

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 2 to 27, both inclusive, and all of the material on page 2, and insert in lieu thereof the following: "added to article II of chapter III of title I of part III of the Political Code, to read as follows:

362g. First—The department of education shall have power and it shall be its duty:

- (a) To establish standards for school buildings.
- (b) To review plans and specifications for all school buildings to be erected outside of incorporated cities which have building codes.
- (c) To approve plans and specifications submitted by governing boards of school districts, and to return without approval and with recommendation for changes any plans not conforming to established standards.
- (d) To make all necessary provisions whereby governing boards of school districts or architects engaged by them may procure by purchase or otherwise copies of standard specifications, plans, and building codes prepared by the department.
- (e) To make upon request of the governing board of any school district, except a city board of education, a survey of the buildings of the district, to advise such governing board concerning such building needs, and to suggest plans for financing a building program to meet such needs.
- (f) To employ such experts, and such clerical and stenographic assistants as may be required for expediting the checking and approving of plans and specifications.
- (g) To establish and make all rules and regulations needed for expediting handling of the work of a division of schoolhouse planning, which is hereby created to carry out the purposes of this section.

Second—It shall be the duty of the governing board of each school district, subject to the provisions of this section, before letting any contract involving five thousand dollars or more for the erection of any new school buildings, or for any addition to, or alteration of, an existing school building to submit plans therefor to the state department of education and to obtain the written approval of such plans by the state department of education. No contract for building made by any governing board of a school district contrary to the provisions of this section shall be valid, nor shall any public moneys be paid for erecting, adding to, or altering any school building in contravention of the provisions of this section.

SEC. 2. The sum of twenty thousand dollars is hereby appropriated out of any moneys belonging to the state not otherwise appropriated to defray the expenses of the state department of education in carrying out the provisions of this act during the seventy-ninth and eightieth fiscal years.

#### • Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 238—An act to amend an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District': to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and of voting, issuing and selling of bonds, and

the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," by amending section 6 thereof, relating to elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 3—An act to amend section 925 of the Penal Code, relating to grand juries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 163—An act to amend section 4313 of the Political Code, relating to absence of county officers from the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 503—An act to amend section 4295 of the Political Code, relating to official fees and services.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 504—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 36—An act to provide for the formation, powers, government, operation and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 37—An act to amend an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts, and the powers thereof," approved May 29, 1923, as amended, by adding thereto a new section to be known as section 19a, to provide for the joint administration of county sanitation districts.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 178—An act to amend section 13 of the "State Medical Practice Act," approved June 2, 1913, as amended, relating to reciprocity certificates.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 765—An act to amend the title and sections 5 and 17 of an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, and to add thereto five new sections, to be numbered 4½, 5½, 17½, 19½ and 23½, relating to the annexation of county sanitation districts of contiguous territory, the compensation of directors of such districts, the operation and maintenance of lateral and collecting sewers, the construction by such districts of sewers under the "Improvement Act of 1911," and the dissolution of such districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 738—An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for the violation thereof.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

SEC. 3. The provisions of this act as specified in sections 1 and 2 shall not become effective until July 1, 1928.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Sharkey, further consideration of the motion to reconsider the vote whereby Senate Bill No. 846 was refused passage was continued until the next legislative day.

#### MOTION TO WITHDRAW SENATE BILL.

Senator Inman moved that Senate Bill No. 189 be withdrawn from Committee on Judiciary, and placed on file.

#### AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Murphy and Fellom upon the motion to withdraw Senate Bill No. 189 from Committee and place it on file. Whereupon the Secretary was directed to call the roll.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram,

Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—35.

The Secretary announced the absentees.

Time, ten o'clock and forty-five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 838—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make

report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

On motion of Senator Rush, Senate Bill No. 838 was passed on file.

Senate Bill No. 670—An act to authorize the creation of county adjustment schools for the care of minors under eighteen years of age; to provide for the maintenance and management of same, and the making of commitments and transfer of said minors thereto, and the support of said minors therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 670 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on the motion to withdraw Senate Bill No. 189 from Committee on Judiciary and place it on file, of the Senators who had not answered to their names.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Wagy—34.

The Secretary announced the absentees.

Time, eleven o'clock and ten minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

PROCEEDINGS UNDER CALL OF SENATE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 232—An act to amend section 294 of the Penal Code, relating to custody of dead bodies.

Bill read third time.



The question being on the passage of the bill.

The roll was called, and Senate Bill No. 232 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Wagy—34.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Senate Bill No. 233 to Senator Maloney, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, following the word "who" insert the words "wilfully and without reasonable excuse".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 233, with instructions to amend, respectfully reports the same back, amended as per instructions.

MALONEY, Special Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations.

On motion of Senator Hurley, Senate Bill No. 666 was passed on file.

Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 734 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—36.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll, on the motion to withdraw Senate Bill No. 189 from committee of the Senators who had not answered to their names.

The roll was called, and the motion to withdraw Senate Bill No. 189 from committee and place it on file carried by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, H. C., Maloney, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Wagly, and West—22.

NOES—Senators Allen, N. M., Baker, Breed, Chamberlin, Christian, Evans, Handy, Ingram, Jones, Ray; Kline, McKinley, Nelson, Pedrotti, Taylor, Tubbs, and Weller—16.

Senate Bill No. 189 ordered withdrawn from committee and placed on file.

Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 490 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagly, Weller, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### EXPLANATION OF VOTE.

Senators Chamberlin, Weller, Taylor, McKinley, Pedrotti, Evans, Lyon, Allen, N. M., West, Gray, Murphy, Crowley, Fellom, Tubbs, Maloney, Canepa, Breed, Hurley and Christian asked for and were granted unanimous consent to have the following explanation of their vote on Senate Bill No. 490 printed in the Journal:

We hereby declare that our vote in favor of Senate Bill No. 490 was for the sole purpose of performing our sworn duty to uphold the constitution as amended at the last election. We desire to have it clearly understood that our vote shall not, under any circumstances, be construed as an expression of our approval of the principle of representation embodied in this measure, or the constitutional amendment known as proposition number twenty-eight on the ballot at the last general election.

#### SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 256—An act to amend section 330a of the Penal Code, relating to gambling devices.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "Code" insert the following: "and to add a new section thereto to be numbered 330½".

## Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 to 27, inclusive, also strike out all of page 2 and insert in lieu thereof the following:

330a. Every person, who has in his possession or under his control, either as owner, lessee, agent, employee, mortgagee, or otherwise, or who permits to be placed, maintained or kept, in any room, space, inclosure or building owned, leased or occupied by him, or under his management or control, any slot or card machine, contrivance, appliance or mechanical device, upon the result of action of which money or other valuable thing is staked or hazarded, and which is operated, or played, by placing or depositing therein any coins, checks, slugs, balls, or other articles or device, or in any other manner and by means whereof, or as a result of the operation of which any merchandise, money, representative or articles of value, checks, or tokens, redeemable in, or exchangeable for money or any other thing of value, is won or lost, or taken from or obtained from such machine, when the result of action or operation of such machine, contrivance, appliance, or mechanical device is dependent upon hazard or chance, and every person, who has in his possession or under his control, either as owner, lessee, agent, employee, mortgagee, or otherwise, or who permits to be placed, maintained or kept, in any room, space, inclosure or building, owned, leased or occupied by him, or under his management or control, any card dice, or any dice having more than six faces or bases each, upon the result of action of which any money or other valuable thing is staked or hazarded, or as a result of the operation of which any merchandise, money, representative or article of value, check or token, redeemable in or exchangeable for money or any other thing of value, is won or lost or taken, when the result of action or operation of such dice is dependent upon hazard or chance, is guilty of a misdemeanor, and shall be punishable by a fine not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

Sec. 2. A new section is hereby added to the Penal Code to be numbered 330½ and to read as follows:

330b. It shall be unlawful for any person, firm or corporation to use, maintain or operate in the State of California any so-called vending machine or other mechanical device for the sale of goods, wares or merchandise, which mechanical device shall deliver one article or quantity of merchandise at one operation of said machine and other articles or quantities of merchandise at another operation of said machine, or which shall deliver other than a specific article or specific quantity of merchandise or its or their equivalent, for a specific price at any and all times, the character, quantity and price to be set out in plain lettering on the face of the machine or device which is being maintained or operated.

Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not exceeding five hundred dollars or by imprisonment in the county jail in the county where the offense is committed, not exceeding six months, or by both such fine and imprisonment.

## Amendment adopted.

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Jones, H. C., and Boggs upon the adoption of the amendments. Whereupon the Secretary was directed to call the roll.

The roll was called, and the committee amendments adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Wagy, Weller, and West—30.

NOES—Senators Gray, Lyon, Pedrotti, and Tubbs—4.

Bill read second time, ordered to print, engrossment, and on file for third reading.



## SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 202, read previously.

The question being: Shall Senate Bill No. 202 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—37.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 178—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 178 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 315 was passed on file.

Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Canepa moved to refer Senate Bill No. 343 to Senator Taylor, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 10, line 16, of the printed bill, following the period add the following: "To appropriate a sum not exceeding two cents per one hundred dollars of the assessed valuation of the county in any one year, in addition to any sum which may be chargeable to the county for the repayment of money expended by the state for protection against fire in such county, for the purpose of protecting forests, brush, and grass lands therein, against fire or other injury and of aiding the state and federal authorities in forestry work."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 343, with instructions to amend, respectfully reports the same back, amended as per instructions.

TAYLOR, Special Committee.

Report read, and on motion of Senator Canepa adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 695—An act to amend sections 1 and 8 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 695 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 696—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 696 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## WITHDRAWAL OF ASSEMBLY BILL.

Senator Fellom moved, duly seconded by Senator Maloney, that Assembly Bill No. 43 be withdrawn from Committee on Judiciary and re-referred to Committee on Elections.

Motion carried, and such was the order.

Senate Bill No. 407—An act to amend section 668 of the Penal Code, relating to added punishment of criminals because of prior convictions outside of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 407 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones,

H. C. Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—32.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 400—An act to amend section 861 of the Penal Code, relating to the time within which preliminary examinations must be completed.

Bill read third time.

On motion of Senator West, Senate Bill No. 400 was passed on file.

Senate Bill No. 607—An act to authorize and empower the Fish and Game Commission to close fishing streams and lakes, and in emergency to restrict the open season for hunting in any fish and game district or portion thereof.

On motion of Senator Baker, Senate Bill No. 607 was passed on file.

Senate Bill No. 535—An act to amend section 628 of the Penal Code, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 535 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 187—An act to amend section 628*f* of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 187 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Swing, Tubbs, Wagy, and Weller—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 553—An act to reserve from sale certain State lands, being the northwest quarter of the southwest quarter of section 32, township 8 north, range 4 west, and the west 54.24 acres of lot 2 of northwest quarter of section 5, township 5 north, range 12 east, San Bernardino Base and Meridian, in San Bernardino County, and providing for the use thereof.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 553 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Lyon, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Swing, Tubbs, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 470—An act to amend section 1734c of the Political Code, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 470 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Swing, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HURLEY IN THE CHAIR.

At twelve o'clock and twenty-two minutes p.m., Senator Hurley of the Sixteenth District was called to the chair.

Senate Bill No. 638—An act to amend the California Vehicle Act, approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 19, 28, 36, 41, 55, 58, 60, 63, 69, 78, 96, 112, 114, 115, 116, 117, 142, 147, 148, 151, and by adding thereto new sections to be numbered 19½ and 45½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators and chauffeurs, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of this act, the injuring of or tampering with vehicles and to the driving or pasturing of live stock on highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 638 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Swing, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 570 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Cobb, Crowley, Evans, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., McKinley, Mueller, Murphy, Nelson, Sharkey, Swing, Tubbs, and Weller—21.

NOES—Senators Allen, N. M., Canepa, Fellom, Gray, Jones, Ray; Lyon, Maloney, Wagy, and West—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof;

Also: Senate Bill No. 507—An act to amend section 2322r8 of the Political Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class;

Also: Senate Bill No. 449—An act to amend sections 4039 and 4076 of the Political Code, relating to claims against the county and records thereof;

Also: Senate Bill No. 366—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail bonds;

Also: Senate Bill No. 717—An act to amend section 1618a of the Political Code, relating to health supervision;

Also: Senate Concurrent Resolution No. 15—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California;

Also: Senate Bill No. 523—An act to amend an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended by adding two new sections thereto, to be numbered 24 and 504, relating to certification of warehousemen;

Also: Senate Concurrent Resolution No. 22—Relating to investigation by the Attorney General into the legality of Assembly Bill No. 1206, chapter LXV, of the 1925 session of the Legislature, and the contract entered into pursuant to said bill for the sale of the Folsom Reservoir site;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919;

Also: Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents;

Also: Senate Bill No. 748—An act to amend section 453 of the Civil Code, relating to mutual benefit and life insurance associations, and the manner in which and the conditions upon which such associations may do business in this State; And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 29, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 114—An act to create a flood control district to be called "Orange County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, water ways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

RUSH, Chairman.

Assembly Bill No. 114 ordered on file for second reading.

#### ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Bill No. 659—An act providing for the exchange of certain lands of the State, situate in a national park, and for the management and control of the lands acquired in exchange—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

McKINLEY, Vice Chairman.

Senate Bill No. 659 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 3—Relative to the congressional reapportionment of the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

McKINLEY, Vice Chairman.

Assembly Joint Resolution No. 3 ordered on file.



Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Bill No. 883—An act to cede to the United States exclusive jurisdiction over Lassen Volcanic National Park, in the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

McKINLEY, Vice Chairman.

Assembly Bill No. 883 ordered on file for second reading.

#### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 24, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1184—An act to amend section 1126 of the Political Code, relating to authorizing supervisors to consolidate election precincts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FELLOM, Chairman.

Assembly Bill No. 1184 ordered on file for second reading.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the pay roll of the Senate.

Mrs. M. S. West, stenographer-----\$5 00 per day

Resolution read and on motion of Senator Crowley adopted.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Gray:

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease.

Request referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES—(RESUMED).

##### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 595—An act providing for the formation, government, operation, reorganization, dissolution and alteration of the boundaries of harbor districts for the improvement, development or protection of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

TAYLOR, Chairman.

Assembly Bill No. 595 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 562—An act to aid commerce and navigation by authorizing certain improvements in and about South Basin and South Basin Canal and as a means thereof creating a reclamation district to be called and known as the "South Basin-South Basin Canal Reclamation District," fixing the boundaries thereof, pro-

viding for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works of reclamation; granting to the city and county of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said South Basin-South Basin Canal Reclamation District—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

TAYLOR, Chairman.

Senate Bill No. 562 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 486—An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura County of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor; to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

TAYLOR, Chairman.

Assembly Bill No. 486 ordered on file for second reading.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to roster and tally lists, to add a new section 1174a to the Political Code, relating to roster and tally lists, and to repeal section 1229 of the Political Code—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.

Assembly Bill No. 303 ordered to unfinished business file.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 5—An act to amend section 2713 of the Political Code, relating to construction and repairs of bridges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 5 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Evans, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Weller, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1112—An act to add a new section to the Political Code, to be numbered 359a, relating to the Governor's Council.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1112 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Handy, Hollister, Ingram, Johnson, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Weller, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1019—An act to amend sections 8, 9 and 10 of an act entitled "An act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California, to the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United States soldiers, sailors and marines, and to provide for the government thereof by the State," approved March 11, 1897, as amended, relating to care of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1019 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Weller and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 540—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 55 thereof, relating to funds and revenue of districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 540 passed by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Evans, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 863—An act confirming and validating the formation or organization and existence of reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 863 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline,



Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 865—An act confirming and validating the formation or organization and existence of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 865 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 544—An act to provide for the formation, management and dissolution of county police protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 544 to Senator Boggs, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 5, line 16, of the printed bill, as amended March 25, 1927, after the word "situated" insert the following: "and shall be paid out on warrants of the county auditor which shall be drawn upon orders of".

##### AMENDMENT NUMBER TWO.

On page 6, line 18, of the printed bill, as amended March 25, 1927, strike out the word "votes" and insert in lieu thereof the word "returns".

##### AMENDMENT NUMBER THREE.

On page 6, line 45, of the printed bill, as amended March 25, 1927, strike out the words "town or village" and insert in lieu thereof the following: "police district".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 544, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 444—An act to amend section 653a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the publications of ordinances.

On motion of Senator Sharkey, Assembly Bill No. 444 was re-referred to Committee on Municipal Corporations.

Assembly Bill No. 628—An act authorizing suits against the State, relating to certain real property and regulating the procedure therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 628 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 842—An act to amend section 113 of the Code of Civil Procedure, relating to jurisdiction of justice's court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 842 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 843—An act to amend section 1163 of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 843 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and West—31.

NOES—None.

#### TITLE AMENDED.

Senator Baker moved to amend the title of Assembly Bill No. 843 as follows:

#### AMENDMENT NUMBER ONE.

In the title of the printed bill, line 2, strike out the period and insert in lieu thereof a comma and the following: "relating to jurisdiction of superior courts and justices' courts".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 1176—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIj, embracing sections 373 to 373j, relating to a Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1176 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CHRISTIAN IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Senator Christian of the Thirteenth District was called to the chair.

Assembly Bill No. 897—An act authorizing the Director of the State Department of Agriculture to destroy records.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 897 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 33—An act to amend section 3756 of the Political Code, relating to penalty on delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 33 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 168—An act to amend section 1838 of the Political Code, relating to a building fund tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 168 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 169—An act to amend an act entitled "An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks for the use of pupils of such schools."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 169 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 201—An act to amend section 1612 of the Political Code, relating to contracts by boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 201 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

Assembly Bill No. 176—An act to add a new section to the Political Code, to be numbered 1858a, and relating to an emergency fund for the relief of school districts suffering from an unusual increase in school attendance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 176 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Fellom, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 208—An act to add a new section to the Political Code, to be numbered 1618b, relating to the education of persons in tubercular sanatoriums and preventoriums.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 208 passed by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 536—An act to add a new section to the Political Code to be numbered 1607*o*, relating to the powers and duties of boards of school trustees.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Weller moved to refer Assembly Bill No. 536 to Senator Taylor, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended March 17, 1927, strike out the comma following the syllable "lish"; also strike out the words "maintain, and operate" in said line.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, as amended March 17, 1927, strike out the comma following the word "establish".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, as amended March 17, 1927, strike out the comma following the word "equipping".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 536, with instructions to amend, respectfully reports the same back, amended as per instructions.

TAYLOR, Special Committee.

Report read, and on motion of Senator Weller adopted.

Bill ordered to print.

Assembly Bill No. 175—An act to amend section 1553 of the Political Code, relating to superintendent of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 175 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 29—An act to amend section 4256 of the Political Code, relating to the salaries, fees and compensation of county officers of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 202—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 202 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Inman, Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 899—An act to amend section 4287 of the Political Code, relating to fees and salaries of county and township officers in counties of the fifty-eighth class.

On motion of Senator Garrison, Assembly Bill No. 899 was passed on file, to retain its place on file.

Assembly Bill No. 28—An act to amend section 2322x37 of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies and employees in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 28 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 95—An act to amend section 2322x18 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 95 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson,



Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Nelson, Rush Slater, Taylor, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 96—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 96 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 203—An act to amend section 2322x23 of the Political Code, relating to the salary of the county horticultural commissioner, his deputies and inspectors in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 203 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 624—An act to amend section 2322x7 of the Political Code, relating to the salary of the horticultural commissioner and inspectors in counties of the seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 624 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 641—An act to amend section 2322x37 of the Political Code, relating to the salaries of employees in counties of the thirty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 641 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 110—An act to amend section 1 of an act entitled "An act to provide for the regulation, control and licensing of any person, firm or corporation engaged in the business of milling, sampling, concentrating, reducing, purchasing, or receiving for sale ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold bullion, nuggets, or specimens, to provide rules and regulations therefor and to provide penalties for the violation of the provisions of this act," approved April 15, 1925, relating to licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 110 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 916—An act to establish a State Curriculum Commission for the public schools of the State.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cobb moved to refer Assembly Bill No. 916 to Senator Allen, J. M., as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 8, of the amended printed bill, strike out the word "for", and insert in lieu thereof the word "and".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 916, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, J. M., Special Committee.

Report read, and on motion of Senator Cobb adopted.

Bill ordered to print.

Assembly Bill No. 915—An act to amend section 1552 of the Political Code, relating to the expenses of the Superintendent of Schools and his assistants.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cobb moved to refer Assembly Bill No. 915 to Senator Allen, J. M., as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the amended printed bill, after the word "schools", insert the following: "shall receive his actual and necessary traveling expenses, said expenses to be allowed by the board of supervisors and to be paid out of the county general fund,".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 915, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, J. M., Special Committee.

Report read, and on motion of Senator Cobb adopted.

Bill ordered to print.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 523—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties, and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 523 to Senator Canepa, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 10, line 42, of the amended printed bill, strike out the word "thirty", and insert in lieu thereof the words: "one hundred fifty".

## AMENDMENT NUMBER TWO.

On page 10, line 45, of the amended printed bill, strike out the word "extnestion", and insert in lieu thereof the word "extension".

## AMENDMENT NUMBER THREE.

On page 11, line 23, of the amended printed bill, strike out the word "subdivision", and insert in lieu thereof the word "section".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 523, with instructions to amend, respectfully reports the same back, amended as per instructions.

CANEPA, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print and re-engrossment.



## REPORTS OF STANDING COMMITTEES—(RESUMED).

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game-fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 69—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, by adding a new section thereto to be numbered section 15b, relating to the bonds of said municipal utility districts, and the investment of trust and other funds therein, and providing for the use of said bonds as security in certain cases and as security for the deposit of public funds;

Also: Senate Bill No. 28—An act to amend section 46 of the "California Irrigation District Act," approved March 31, 1897, relating to the entry of the record of assessment sales and the addition of penalties to assessments upon redemption;

Also: Senate Bill No. 340—An act to amend the Penal Code by adding a new section to be known as section 363c thereto, relating to offenses against or concerning building and loan associations and prescribing penalties for violation of the provisions of the act;

Also: Senate Bill No. 582—An act to provide against the selling, purchase, barter or bartering, the altering or the use of any fraudulent degrees, certificates or transcripts to be used in obtaining a license or certificate to practice in the State of California, and to provide a penalty for the making of false affidavits and the impersonation of applicants in examination required under the Medical Practice Act, the Osteopathic Initiative Act, the Chiropractic Initiative Act, or any other act;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1927, at 2 o'clock p.m.

JONES, RAY, Chairman.

## ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 93—An act to amend section 2 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within state hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, defining residents and providing for deportation of non-resident indigents;

Also: Assembly Bill No. 1082—An act to amend an act appropriating money for the support of orphans, half orphans, and abandoned children, approved March 25, 1880, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

HURLEY, Chairman.

ALLEN, J. M.

CANEPA.

HOLLISTER.

MALONEY.

RUSH.

SLATER.

Assembly Bills Nos. 93 and 1082 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 640—An act providing for the protection and assist-

ance of aged persons under certain conditions in the State of California, and providing the method therefor, and making appropriation therefor and prescribing penalties for the violations of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

HURLEY, Chairman.  
ALLEN, J. M.  
CANEPA.  
HOLLISTER.  
MALONEY.  
RUSH.  
SLATER.

Senate Bill No. 640 ordered re-referred to Committee on Finance.

#### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be reprinted and re-referred to committee.

(Signed out)

CHAMBERLIN, Chairman.  
BREED.  
CANEPA.  
GARRISON.  
HANDY.  
HURLEY.  
INGRAM.  
SLATER.  
SWING.  
TAYLOR.  
YOUNG.

Senate Bill No. 723 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 28, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 288—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property;

Also: Senate Bill No. 645—An act to amend sections 1, 2, 3, 4, 8 and 9 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended;

Also: Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to appointment of deputies;

Also: Senate Bill No. 810—An act to amend section 323 of the Political Code, relating to time when statutes take effect;

Also: Senate Bill No. 868—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Senate Bills Nos. 288, 645, 679, 810 and 868 ordered on file for second reading.

#### ADJOURNMENT.

At four o'clock and twelve minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Thursday, March 31, 1927.

## IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Thursday, March 31, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—39.

Quorum present.

## PRAYER.

Prayer was offered by the chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 30, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Ida Koverman of Los Angeles, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. A. F. Bray of Martinez, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Frank L. Rinehart of Newport Beach, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Marion Phillips, Francis Burroughs, Theresa Panizza, Evelyn McNamara, Henrietta Haase, Geraldine Buhler, Richard Parkhurst, Albert Dally, Elmer Schroeder, Kenneth Schroeder, David Muller and George Jesser of Dixon, Solano County, California; Stephen Katona and Fred Adiego of Vacaville, Solano County, California; John Mariani, Anton Dettling and Carter Sisson of Dixon, Solano County, California, and Catherine Sweeney, Carrie Conner, Anna Ford and Agnes Ford of Vacaville, Solano County, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Elizabeth Stokes, principal of Sutter Creek Grammar School of Amador County, and eighth grade students as follows: Azalea Cuneo, Audrey DeLucchi, Frances Sciaroni, Doris Bryant, Willard Shealar, Fred Williams.



Andrew Vlaovich, Milan Milovich, Weldon Lucot, Maurice Boitano, Antone Perovich, Elaine Ruffino, John Ferreccio, Dana Cox, Rodolph Benedetti, Dane Gacanich, Marie Kosich, Chester Liddicoat, Helen Foster, Nadine Poe, Hoffman Siebe and Mary Guiliani.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Lois McKean of Pittsburg School, LaVerne Preston of Milzner District School, Mrs. M. B. Wilson, principal of Peaceful Glen School, Mrs. J. P. Burroughs and J. F. Sisson of Dixon, California, and Mrs. Alice Hunsberger, Silveyville School, all of Solano County.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Florence Butterfield, of Montebello, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Milo Harding, of Santa Rosa, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Charles F. Curry, Congressman from the Third Congressional District of California.

#### QUESTION OF PERSONAL PRIVILEGE.

Senator Evans arose to a question of personal privilege and presented the following statement by the Secretary and requested that it be printed in the Journal:

#### STATEMENT BY SECRETARY OF SENATE.

SENATE CHAMBER, March 31, 1927.

*To the Members of the Senate.*

Senator Evans calls my attention to the fact that on page 24 of the Senate Journal of March 30 he is recorded as voting "aye" upon the motion of Senator Inman to recall Senate Bill No. 189 from committee and place it on file for consideration, whereas, in fact, Senator Evans voted "no" upon this motion. Upon investigation, I find that this is a printer's error and that upon the original roll call Senator Evans is recorded as voting "no." This error will be obvious to anyone who will check this roll call as appearing on page 24 of the Journal of March 30, noting that the total number of "aye" votes is shown at twenty-two, whereas twenty-three names are recorded and the total number of "no" votes is shown as sixteen, whereas only fifteen are recorded.

Respectfully submitted,

J. A. BEEK, Secretary of Senate.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 671—An act to amend section 2636 of the Political Code, relating to the naming and change of names of public highways.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 433—An act to amend section 634 of the Civil Code of the State of California, relating to the issuance of shares and investment certificates of building and loan associations and relating to the creation of a reserve fund; selection of directors and fees chargeable by such associations;

Also: Senate Bill No. 434—An act to amend section 647 of the Civil Code of the State of California, relating to building and loan associations;

Also: Senate Bill No. 436—An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the Building and Loan Commissioner of the State of California in accordance with the provisions of title XVI, part IV, division I of the Civil Code, legal investments for certain purposes;

Also: Senate Bill No. 437—An act to add a new section to the Code of Civil Procedure to be numbered 1454a, relating to the collection of money by heirs;

Also: Senate Bill No. 438—An act to amend section 641 of the Civil Code, relating to guarantee stock dividends and reserve fund of building and loan associations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 433, 434, 436, 437 and 438 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused adoption to Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to be numbered 14½ to article XIII of said constitution, relating to the taxation of foreign insurance corporations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March, 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 338 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 432—An act to amend sections 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 298—An act to promote the apicultural interests of California by providing for the inspection and disposition of bees, their brood, hives and appliances that are or may be infected with disease, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners, and defining their powers and duties hereunder, providing for the establishment of quarantines to prevent the introduction and spread of disease, declaring box hives and infected bees, their brood, hives and appliances to be a public nuisance and providing for the abatement thereof, providing for the registration of apiaries, prohibiting the sale or removal of infected bees, their brood, hives and appliances without permit, providing penalties for the violation hereof, and repealing an act entitled "An act to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties, and providing for their compensation, and repealing the act entitled 'An act to authorize the boards of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883," approved February 20, 1901, as amended;

Also: Assembly Bill No. 1113—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article XVIII, embracing sections 654 to 685, both inclusive, relating to a Department of Finance;

Also: Assembly Bill No. 1119—An act to amend sections 363, 363a, 363b, 363c, 363d, 363e, 363f, 363g and 363h of the Political Code, relating to the Department of Public Works.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 298 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bills Nos. 1113 and 1119 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California, relating to the giving or lending of public credit.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Constitutional Amendment No. 36 read, and referred to Committee on Constitutional Amendments.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915;

Also: Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended, relating to fish and game districts;

Also: Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class;

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by repealing the first numbered section 11 of article VI, proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 4, 1924, by amending sections 3, 4, 5 and 13 of said article and by adding to said article new sections to be numbered 4a, 4b, 4c and 11a, relating to courts of record and inferior courts;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor;

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations be amended;

Also: Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, vesting in the Director of Agriculture the enforcement of the provisions hereof and the promulgation and



enforcement of rules and regulations hereunder, providing penalties and making an appropriation therefor, and declaring this act to be an urgency measure;

Also: Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estate to nonresident persons;

Also: Senate Bill No. 735—An act to amend section 928 of the Penal Code, relating to grand juries;

Also: Senate Bill No. 825—An act to amend section 1313 of the Civil Code, relating to devises for charitable purposes;

Also: Senate Bill No. 834—An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Senate Bill No. 336—An act to authorize and empower the department of institutions to grant a right of way across and through certain lands at the Pacific Colony, to the city of Pomona for the Pomona-La Verne-Claremont Outfall Sewer for the purpose of a right of way for sewer pipes;

Also: Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to headlights.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 431—An act to create a Bureau of Inspection and to regulate the same and to provide for the monthly inspection of steering gears, running gears and brakes, and electrical apparatus of all vehicles employed in intrastate traffic, and to provide a penalty for violating such regulations as shall be imposed by such bureau.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "create a bureau of" and insert in lieu thereof the word "provide".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after the word "inspection" insert the words "of motor vehicles".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, after the word "all" insert the word "motor".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

In line 6 of the title of the printed bill, strike out the words "such bureau" and insert in lieu thereof the following: "the railroad commission".

**Amendment adopted.**

## AMENDMENT NUMBER FIVE.

On page 1, line 1, of the printed bill, after the word "commission" strike out the balance of said line 1 and all of lines 2 to 22, inclusive, and insert in lieu thereof the following: "shall cause at least once in each calendar month an inspection of all motor vehicles operated as common carriers in the State of California, which motor vehicles operate under the jurisdiction of or by virtue of a permit or certificate issued by the said railroad commission. Such monthly inspection shall be of the steering gears, running gears and brakes, and electrical apparatus of all such motor vehicles operated as aforesaid, and shall be made by inspectors appointed by said railroad commission; *provided*, that the inspectors so appointed shall have had at least five years of practical experience as automotive mechanics.

If said inspection shall show that any part of any of said motor vehicles is so defective as to constitute a menace to life or property, the railroad commission shall forbid the operation of said vehicle or vehicles until said defect is repaired.

Sec. 2. Any person who operates, drives or causes to be operated or driven, any motor vehicle after he has been notified by the railroad commission, as provided in this act, that said motor vehicle must not be operated or driven until repaired, is guilty of a misdemeanor."

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Motor Vehicles.

Senate Bill No. 562—An act to aid commerce and navigation by authorizing certain improvements in and about South Basin and South Basin canal and as a means thereof creating a reclamation district to be called and known as the "South Basin-South Basin Canal Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works of reclamation; granting to the city and county of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said South Basin-South Basin Canal Reclamation District.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 659—An act providing for the exchange of certain lands of the State, situate in a national park, and for the management and control of the lands acquired in exchange.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 189—An act to provide a new section to an act entitled "An act to define trust and to provide for criminal penalties and civil damages, and punishment of corporations, persons, firms, and associations, or persons connected with them, and to promote free competition in commerce and all classes of business in this State," approved March 23, 1907, to be numbered section 1½, relating to trusts and combinations in restraint of trade or commerce.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE

On page 1, line 21, of the printed bill, strike out the words "agricultural or hirti" and on page 2, line 1, strike out the first word "cultural".

## Amendment adopted

## AMENDMENT NUMBER TWO

On page 2, line 3, of the printed bill, after the comma following the word "profit" insert the following: "or any associative organization operating under and by virtue of the laws of the State of California, or of any other state or the District of Columbia, or under federal statute, or the agents, individual or corporate, of such organizations in the performance of their duties as such agents."

## Amendment adopted

Bill read second time, ordered to print, engrossment, and on file for third reading

Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game

## COMMITTEE AMENDMENTS

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE

In line 3 of the printed bill, following the second insert the following:

Every person who, between the first day of January and the fifteenth day of October, both inclusive, of any year, hunts, possesses, takes, kills or destroys or has in his possession any kind of wild duck, or goose, or heron or imitation of either, or Wilson snipe, or any of any other birds, possesses, takes, kills, or destroys or has in his possession any grouse, snail, or wood duck or wild pigeon or any other bird, except Wilson snipe, or any sandhill crane, whooping crane, or any other crane, or any other bird, as herein first provided, between the first day of December and the thirty-first day of October of the year following, both inclusive, hunts, possesses, takes, kills or destroys or has in his possession any mallard duck, desert or valley quail, or anything of lesser number or value, between the first day of October and the thirty-first day of August, both inclusive, inclusive, of the following year, hunts, possesses, takes, kills or destroys or has in his possession any dove, or quail, or a trust account, provided, that in both and game seasons first, four and snail, and first and September, every person who, between the first day of November and the thirty-first day of August, of the year following, both inclusive, hunts, possesses, takes, kills or destroys or has in his possession any dove or quail, or a trust account, or who, between the twenty-first day of August and the thirty-first day of July, both inclusive, of the following year, hunts, possesses, takes, kills or destroys or has in his possession any snail, is guilty of a misdemeanor, provided that in both and game seasons first, four and snail, and first and September, and the thirtieth day of October, both inclusive, of any year, hunts, possesses, takes, kills or destroys or has in his possession any valley or mountain quail is guilty of a misdemeanor, provided, further, that nothing in this section shall prohibit the hunting, possession, taking, killing or destroying of any wild game or bird, game, by the person or agent of any person, or any other person authorized in writing by such person or agent, but the rabbits or bearded marmoset, taken, killed or destroyed shall not be caught or sold, or taken from the premises of such owner or person, during the closed season.

## Amendment adopted

Bill read second time, ordered to print, and re-referred to Committee on Fish and Game

Senate Bill No. 288—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property.

## COMMITTEE AMENDMENTS

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, after the word "any", insert the word "real"

## Amendment adopted



## AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

That the title of said printed bill be amended by inserting in line 7 thereof following the word "amended" a comma and the following: "relating to the method of recordation of maps, providing additional conditions on which maps may be recorded, and providing civil and criminal liabilities for the violation thereof."

Amendment adopted.

## AMENDMENT NUMBER TWO.

That in line 13, page 1, of said printed bill, following the word "lots", there be inserted the words "as defined herein."

Amendment adopted.

## AMENDMENT NUMBER THREE.

That in line 15, page 1, of said printed bill, the words "or parcels of land" be stricken out and the words "as defined herein" be inserted in lieu thereof.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

That in line 37, page 2, of said printed bill, the words "five acres or less" be stricken out and that there be inserted in lieu thereof the words "less than five acres".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

That there be inserted between lines 43 and 44 on page 2 of said printed bill a separate paragraph as follows:

Nothing herein contained shall prohibit the recordation of a map under the provisions of this act because of the number of parcels shown thereon or of the area of said parcel or parcels, providing such map shall comply with all other conditions of this act.

Amendment adopted.

## AMENDMENT NUMBER SIX.

That there be inserted in line 1, page 5, of said printed bill, following the word "same", the following: "Said approval shall be deemed conclusive evidence that said map or plat has been indorsed and acknowledged in accordance with the provisions of this act and no defect in such indorsements or acknowledgments made on such map or plat shall affect the title of any lot or parcel of land sold by reference to said map or plat."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

That following line 16, page 5, of said printed bill, there be inserted in a separate paragraph the following:

Said governing body or board of supervisors may require as a condition precedent to the acceptance of the highways so offered for dedication, that the owner or subdivider of such tract or subdivision of land enter into a contract with such city, city and county, or county whereby the owner or subdivider in consideration of the approval of such map or plat and the acceptance of the highways offered for dedication thereon, shall agree, within such period as may be required by such governing board or board of supervisors and provided for therein to pave or otherwise surface said highways, including curbs and sidewalks therefor, according to specifications as established by such governing body or board of supervisors and referred to therein.

Such governing body or board of supervisors may further require the owner or subdivider to file with such governing body or board of supervisors a good and sufficient bond in a penal sum not to exceed the total estimated cost of the improvements required by said contract, conditioned upon the faithful performance of said contract by the contracting party thereto. It shall not be necessary that the principal on said bond shall be the owner of any record interest in such tract or subdivision but may be only the holder of an equitable interest therein. When such bond is required by any governing body or board of supervisors, under the provisions of this act, its terms shall be liberally construed for the benefit of said governing body or board of supervisors. No proof of loss shall be required in any subsequent action brought by any city, city and county, or county for the recovery of the penal sum named in such bond, other than the failure of the principal on said bond to comply with the terms of said contract.

### Amendment adopted.

#### AMENDMENT NUMBER EIGHT.

That following line 17, page 6, of said printed bill, there be inserted a new paragraph as follows:

When the easement or conveyance of the right of way for storm drain purposes offered for dedication by the owner or subdivider in accordance with the provisions hereof is of such area that improvement of such easement or conveyance is necessary for the proper disposition of natural drainage and waste water, said governing body or board of supervisors may further require, as a condition precedent to the approval of such map or plat in the event that the tract of land shown upon the map or plat is traversed by any natural water course or channel, that the owner or subdivider of such tract or subdivision enter into a contract with such governing body or board of supervisors whereby the owner or subdivider, in consideration of the approval of such map or plat shall agree, within such period as may be required by such governing body or board of supervisors and provided for therein, to improve the right of way for storm drain purposes dedicated by such map or plat, as required by the provisions hereof, with such structures or improvements as may be required by such governing body or board of supervisors according to plans and specifications as established by such governing body or board of supervisors, and referred to therein, so that natural drainage and waste water may be carried across said tract or subdivision of land and duly disposed of without danger to life, limb, or property. Such governing body may further require a good and sufficient bond, in a penal sum not to exceed the total estimated cost of the structures or improvements required by said contract, conditioned upon the faithful performance of said contract.

### Amendment adopted.

#### AMENDMENT NUMBER NINE.

That in line 3, page 7, of said printed bill, the words "lot or" and all of line 4 be stricken out and that there be inserted in lieu thereof the following: "subdivision or part thereof as defined herein and hereafter laid out, or any lot or parcel of land in such subdivision, unless a map or plat of such subdivision".

### Amendment adopted.

#### AMENDMENT NUMBER TEN.

That on page 7, line 6, of said printed bill, the comma following the word "act" and the words "or was filed or recorded" and all of line 7 and in line 8 the words "laws in force at the time it was so filed or recorded," be stricken out, and that there be inserted in lieu thereof a semicolon.

### Amendment adopted.

#### AMENDMENT NUMBER ELEVEN.

That in line 9, page 7, of said printed bill, the words "or parcel of land" be stricken out, and that there be inserted in lieu thereof the words "as defined herein".

### Amendment adopted.

#### AMENDMENT NUMBER TWELVE.

That on page 7, line 10, of said printed bill, the words "other than such recorded" and all of line 11 be stricken out and that there be inserted in lieu thereof the

following: "unless such map or plat has been made, certified, endorsed, acknowledged, and filed in all respects as provided in this act, or filed or recorded prior to the taking effect of this act in accordance with the laws in force at the time it was so filed or recorded, and no person shall sell or offer for sale any lot in any subdivision as defined herein by reference to any map or plat other than such recorded map or plat or true and correct copy thereof."

### Amendment adopted.

#### AMENDMENT NUMBER THIRTEEN.

That on page 7 of said printed bill, the semicolon following the word "void" and the words "*providing, however, that any owner*" and all of lines 25 to 38 inclusive be stricken out, and that there be inserted in lieu thereof a period.

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to the appointment of deputies.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

#### AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out the words "marshal of a municipal court, a clerk of a municipal court."

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

In line 5 of the printed bill, after the comma following the word "officer" insert the following: "marshal or clerk of a municipal court."

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 810—An act to amend section 323 of the Political Code, relating to time when statutes take effect.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "its passage" and insert in lieu thereof the following: "the final adjournment of the session of the Legislature which enacted such statute."

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 868—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

Strike out all of the printed bill, beginning with the title, and insert in lieu thereof the following:



An act to amend section three hundred nine and one-half of the Civil Code, relating to the authorization of the distribution of the capital stock or capital assets of a corporation among its stockholders, or any of them, and the procedure therefor.

The people of the State of California do enact as follows:

SECTION 1. Section 309½ of the Civil Code is hereby amended to read as follows: 309½. The directors of a corporation may apply to the commissioner of corporations for a permit to divide, withdraw, or pay or distribute among the stockholders or any of them, any part of the capital stock, or any property of the corporation other than dividends from the surplus profits arising from the business thereof. Any such application shall be in writing and shall set forth the amount of the authorized capital stock, the amount of the subscribed capital stock, the total value of the assets and the total amount of the existing indebtedness and shall further state, that after such creation of indebtedness, or division, withdrawal, payment, or distribution, the assets of the corporation taken at their reasonable value will be not less than the amount of the subscribed capital stock over and above the total indebtedness of the corporation; *provided, however*, that in the case of a corporation in liquidation applying for a permit to distribute a portion of its assets in lieu of this last and further statement the application shall state that the corporation is in process of liquidation, that it is not engaged, and does not propose to engage in business other than such as is appropriate or incidental to such liquidation, and that after such distribution the assets of the corporation taken at their reasonable value will be at least sufficient to pay and discharge the existing indebtedness and all future anticipated indebtedness of the corporation. The application shall further state that the holders of at least two-thirds of the subscribed capital stock have consented thereto either by instrument in writing filed with the secretary of such corporation or by vote at a meeting of the stockholders called for that purpose. The application shall be in such form and contain such additional information as the commissioner shall prescribe and shall be signed by the president and secretary or a majority of the board of directors of the corporation and shall be verified in the same manner as a complaint in a civil action, and no permit shall be issued except upon an application so filed and payment of the fees therefor and the cost of the publication or posting of notice hereinafter provided. Upon the filing of the application the commissioner must give notice thereof once a week for two successive weeks by publication in some newspaper published in the county of the principal place of business of the corporation, or if there be no such newspaper by notices posted in three public places in the county. Any creditor of the corporation may file with the commissioner written objections to the granting of such permit, verified in the same manner as an answer in a civil action, and also state therein an address to which any notice provided hereby may be mailed. At the expiration of said two weeks, if no objection be so filed, the commissioner shall hear and determine said application, but if any objection be so filed and not withdrawn in writing the commissioner shall in writing notify the corporation thereof which may within thirty (30) days thereafter apply to the superior court of said county for a writ of mandate to compel the issuance of said permit, otherwise said application shall be deemed abandoned without prejudice to another or similar application upon like notice. In such mandate proceedings all such objecting creditors shall be joined with the commissioner as defendants and served with process and shall have the right to answer therein separately or jointly, but the commissioner need not file any pleading therein unless he so desires nor shall any judgment for damages or costs be rendered against him personally or against the state. If any defendant can not be served personally within the state service upon such defendant may be effected by service upon the commissioner who shall thereupon notify said defendant in writing of such service. In such mandate proceedings the burden shall be upon the corporation to establish its right to the issuance of such permit. If the court shall find that all the allegations required to be set forth in said application are true and that such permit may be issued without injury to any creditor it shall order the commissioner to issue such permit, otherwise it shall dismiss the proceedings; *provided*, that the court may upon a like finding order the issuance of a permit for a lesser amount than that applied for. Any party to said proceeding may appeal from the judgment therein as in other mandate proceedings except that notice of appeal shall be filed within ten days after notice of entry of judgment, and if not so filed said judgment shall become final. Upon the judgment becoming final a certified copy thereof shall be filed with the commissioner who shall proceed in accordance therewith; *provided*, that should anything occur between the filing of the application and the filing of said certified copy, affecting substantially the financial status of the corporation, and any creditor shall have filed with the commissioner written objections based thereon, and the commissioner shall find that such thing has so occurred and was not considered by the court he shall not issue his permit but shall refer the matter to said court which shall thereupon reopen said proceedings and render such judgment thereon as the circumstances and justice may require, from which judgment an appeal may be taken as in the case of the original judgment. Any permit granted to a corporation in liquidation shall state on its face the amount of the subscribed capital stock, the amount of the assets

and indebtedness which will remain after such distribution is had thereof, and the amount of the capital stock which said corporation shall thereafter be deemed to have until changed by law, which said amount of capital stock shall be the total value of such remaining assets; *provided, however*, that in case the articles of incorporation of said corporation provided for shares of stock of different classes or preferences such provision therein shall be applied and be as effective as though there had been no reduction or change in the amount of the capital stock. Before any division, withdrawal, payment or distribution of assets of a corporation is made, under any permit of the commissioner obtained as herein provided or any dividend is made under any such permit other than from the surplus profits arising from the business of the corporation, the corporation shall file in the office of the secretary of state a copy of such permit duly certified by the commissioner and shall also file a copy of such permit so certified in the office of the county clerk of the county of the principal place of business of the corporation and in the office of the county clerk of every county in the state in which the corporation holds real property.

Nothing hereinabove appearing shall be construed to apply to the purchase of its own preferred stock by a corporation which is in actual liquidation and which has no unsecured indebtedness, and any such corporation may, with the written assent of the holders of at least two-thirds of its issued and outstanding preferred stock, purchase and retire and cancel all or any part of such preferred stock, upon obtaining a permit therefor from the commissioner of corporations.

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1184—An act to amend section 1126 of the Political Code, relating to authorizing supervisors to consolidate election precincts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 114—An act to create a flood control district to be called "Orange County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, water ways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 6, line 30, of the printed bill, after the word "upon", strike out the word "the" and insert in lieu thereof "all the taxable".

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 6, line 34, of the printed bill, strike out the following: "the real property within said district and all the real", and insert in lieu thereof the following: "all the taxable property within said district and all the taxable".

#### Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 6, line 38, of the printed bill, strike out the following: "the taxable real", and insert in lieu thereof the following: "all the taxable".

#### Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 6, line 39, of the printed bill, strike out the word "on", and insert in lieu thereof the word "upon".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 6, line 42, of the printed bill, strike out the following: "on said real property".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 7, line 33, of the printed bill, strike out the following: "the taxable real" and insert in lieu thereof "all taxable".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 7, line 41, of the printed bill, after the word "credit" insert the following: "of the maintenance fund".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 7, line 46, of the printed bill, strike out the word "real" and insert in lieu thereof the word "taxable".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 7, lines 47 and 48, of the printed bill, strike out the following: "exclusive of the assessed valuation of the real property in said district".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 8, line 12, of the printed bill, after the word "right", insert the following: "to require such bonds as it may deem best from the successful bidder for the security of materialmen and laborers, who furnish materials or perform labor in the performance of the contract, and shall also have the right".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 8, line 13, of the printed bill, strike out the word "that", and insert in lieu thereof the following: "that in the event bids are rejected or no bids are received pursuant to the advertising therefor, then".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 8, lines 15, 16, 17, 18 and 19, of the printed bill, strike out the following: "and when ordered by the said board of supervisors thereof, it shall have the power to make the proposed improvement or carry out any work or portion thereof without a contract therefor and to purchase the materials and supplies and employ the labor necessary for such purpose", and insert in lieu thereof the following: "from doing any of the proposed work under the provisions of this act by force account when deemed advisable, and the said district shall have power to purchase in the open market, without advertising for bids therefor, materials and supplies for use in any work being done by it, either under contract or by force account, whenever the costs of such materials or supplies do not exceed the sum of one thousand five hundred (\$1500.00) dollars".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 8, line 29, of the printed bill, strike out the word "new", and insert in lieu thereof, the word "any".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 9, line 17, of the printed bill, strike out the words "levy districts".

Amendment adopted.



## AMENDMENT NUMBER FIFTEEN.

On page 10, line 27, of the printed bill, after the word "uses", insert the following: "but provided, further, no right to take by condemnation any of the properties in this proviso enumerated shall exist on behalf of said district at a greater distance than fifteen miles outside the exterior boundaries thereof".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 10, line 41, of the printed bill, strike out the word "real", and insert in lieu thereof the word "taxable".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 10, lines 49 and 50, of the printed bill, strike out the following: "for the purpose of carrying out the work of controlling the", and insert in lieu thereof the following: "or with any public or private corporation, in the construction of any work for the controlling of".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 10, line 52, of the printed bill, after the word "district", insert the following: "or for the purpose of conserving said waters for beneficial use".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 11, line 2, of the printed bill, after the word "change", insert the following: "affecting their interest".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 11, line 4, of the printed bill, strike out the first word "or".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 4, of the printed bill, after the word "government", insert the following: "or public or private corporation".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 883—An act to cede to the United States exclusive jurisdiction over Lassen Volcanic National Park, in the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 595—An act providing for the formation, government, operation, reorganization, dissolution and alteration of the boundaries of harbor districts for the improvement, development or protection of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the comma following the word "government" and insert in lieu thereof the word "and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after the word "operation" strike out the comma.

Amendment adopted.

## AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, strike out all of line 2.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

In line 3 of the title of the printed bill, after the word "improvement" strike out the comma and insert the word "or".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

In line 3 of the title of the printed bill, after the word "development" strike out the word "or".

Amendment adopted.

## AMENDMENT NUMBER SIX.

In line 4 of the title of the printed bill, strike out the word "protection".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 10, line 25, of the printed bill, strike out the word "such" and insert in lieu thereof the word "each".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 13, line 47, of the printed bill, after the word "let" insert the word "to".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 486—An act to create a harbor district to be called Hueneme Harbor District; to provide for the improvement, development and protection at Hueneme Bay of a harbor and approaches thereto; to provide for the government control, operation and maintenance of said district and harbor and to define the powers and duties of the officers thereof; to provide for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness for said construction and the voting, issuing and selling of bonds to pay the cost thereof; and to provide for the levy of assessments and taxes by said district and the collection thereof.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 4, line 22, of the printed amended bill, following the word "work" strike out the words "and what part of such indebtedness"; also strike out all of lines 23 and 24; and in line 25 strike out the words "to be paid thereon".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 5, line 47, of the printed amended bill, after the word "held" insert the words "and canvassed".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 6 of the printed amended bill, strike out all of section 13 and insert in lieu thereof the following:

SEC. 13. The harbor commission shall in conformity with the foregoing proceedings by resolution fix the form and denomination of said bonds, the place and date at which they shall be payable and the rate of interest thereon and each bond shall be authenticated by the seal of the commission and signatures of its president and secretary, who may be in office at the date of said bond or at any time thereafter prior to the delivery of said bond. Said bonds shall conform in form and manner of issuance as nearly as practicable to the form and manner of issuance of county bonds, the commission and its officers acting in place of county officers. Said bonds shall be sold by said commission in the same manner as county bonds, but for not less than par value and accrued interest. The bonds issued under the provisions of this act shall be payable substantially in the following manner: a part thereof, to be determined by the commission, which shall not be less than one-fortieth (1-40th) of the whole amount of such indebtedness, shall be paid each and every year at a day and date to be fixed by said commission and designated in said bonds, together with the interest on all amounts unpaid on such date until the whole of said indebtedness shall have been paid; *provided, however*, that said commission may in its discretion determine and fix a date for the earliest maturity of the principal of said bonds not later than five (5) years from the date of the issue of said bonds and in this event the whole amount of such indebtedness must be payable in equal annual parts in not to exceed forty (40) years from the time of contracting the same. Said bonds shall bear interest at not to exceed six (6) per cent per annum, payable semiannually. The total principal amount of any bonds outstanding shall not exceed five (5) per cent of the total assessed value of taxable real property, including improvements thereon, within said district, at the time of issuance of said bonds."

#### Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 6, lines 23 and 24, of the printed amended bill, strike out the following: "in any bank or banks authorized to receive county funds" and insert in lieu thereof "with the county treasurer".

#### Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 6, line 28, of the printed amended bill, following the word "demands" insert the following: "of the commission, in form and as".

#### Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 6, line 39, of the printed amended bill, strike out all of the line after the word "district" and in line 40 strike out the words "preferred to that of any subsequent issue".

#### Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 6, line 42, of the printed amended bill, strike out the word "assessment" and insert in lieu thereof the word "tax".

#### Amendment adopted.

##### AMENDMENT NUMBER EIGHT.

On page 6, line 42, of the printed amended bill, following the word "property" insert the words "including improvements thereon".

#### Amendment adopted.

##### AMENDMENT NUMBER NINE.

On page 6, line 43, of the printed amended bill, following the word "property" insert the words "and improvements thereon".

#### Amendment adopted.

##### AMENDMENT NUMBER TEN.

On pages 7 and 8 of the printed amended bill, strike out all of section 16 and insert in lieu thereof the following:

SEC. 16. In each year after the commission shall have been authorized to incur such indebtedness and issue said bonds, the board of supervisors of Ventura county shall at the time of making the general tax levy for county purposes, levy a tax upon all of the taxable real property, including improvements thereon, in such district, sufficient to pay the interest on all bonds theretofore issued and then outstanding and such portion of the principal thereof as is to become due before the time of making the next general tax levy, and if from any cause the revenues and



current receipts of the said harbor from wharfage, dockage, permits, tolls, rents and other sources shall appear to the commission to be inadequate to provide the funds otherwise needed for the current operation and maintenance of said harbor, an additional tax shall be levied as hereinafter provided, which shall include such amount of money, not exceeding in any year one and one-half (1½) mills upon each dollar of the assessed value of the real property, including improvements thereon, in said district, as may be necessary to carry on the said maintenance and operation until the time of making the next general assessment. Said tax shall be levied upon the real property and improvements thereon set forth on the county assessment roll made by the county assessor of Ventura county. The commission shall not later than the Monday preceding the last Tuesday in August of each year by resolution determine the amount of bonds theretofore issued and then outstanding, and separately the amount, if any, necessary to be raised for current operation and maintenance. A copy of said resolution, duly authenticated by the signature of the chairman of the commission, or in his absence by the signature of such member as the commission shall designate, shall not later than the last Tuesday in August of each year be filed in the office of the county clerk and one in the office of the county auditor of Ventura county. And said board of supervisors shall make the tax levy in accordance therewith, subject to the limitation above provided.

### Amendment adopted.

#### AMENDMENT NUMBER ELEVEN.

On page 8, line 45, of the printed amended bill, following the word "deposited" insert the words "with the county treasurer".

### Amendment adopted.

#### AMENDMENT NUMBER TWELVE.

On page 8, line 46, of the printed amended bill, strike out the words "created by the commission for that purpose".

### Amendment adopted.

#### AMENDMENT NUMBER THIRTEEN.

On page 8, line 47, of the printed amended bill, following the word "drawn" insert the following: "only upon demands of the commission, in form and as prepared, presented, allowed and audited by the commission".

### Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 93—An act to amend section 2 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, defining residents and providing for deportation of non-resident indigents.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1082—An act to amend an act appropriating money for the support of orphans, half orphans, and abandoned children, approved March 25, 1880, as amended.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels,

providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 500—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bill No. 500 ordered on file for second reading.

#### SECOND READING OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Inman asked for and was granted unanimous consent to take up for second reading, out of the regular order, Assembly Bill No. 500.

Assembly Bill No. 500—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

78—51897—SJ

## AMENDMENT NUMBER ONE.

On page 8, line 16, of the printed bill, as amended, after the word "news" strike out the word "wire" and insert in lieu thereof the word "service".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 9, line 9, of the printed bill, as amended, strike out the period and insert in lieu thereof a comma, and add the following words: "not subject to the provisions of section 4 of this act."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 18, line 2, of the printed bill, as amended, after the word "harbor", insert the following words: "and the University of California".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25 and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

## CALL OF THE SENATE.

Pending the announcement of the vote, Senator Fellom moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—36.

The Secretary announced the absentees.

Time, eleven o'clock and five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

## PROCEEDINGS UNDER CALL OF THE SENATE.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 838—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of



War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

On motion of Senator Rush, Senate Bill No. 838 was passed on file.

Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein."

On motion of Senator Jones, H. C., Senate Bill No. 430 was passed on file.

Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Allen, J. M., moved to refer Senate Bill No. 345 to Senator Hurley, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

That there be inserted in line 6, page 2, of said printed bill, following the word "county," the following: "The board of supervisors may, in its discretion, authorize the payment of expenses incurred, by county authorities, for temporary, emergency or extended care or treatment of indigent patients of such county by local hospitals."

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 345, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, Special Committee.

Report read, and on motion of Senator Allen, J. M., adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a and 11 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof.

On motion of Senator Chamberlin, Senate Bill No. 687 was passed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and ten minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Fellom.

The Secretary was directed to call the roll, on the final passage of Senate Bill No. 90, of the Senators who had not answered to their names.

The roll was called.

Pending the announcement of the vote, Senator Hurley moved that the names of the absentees be called and that the unexcused absentees be required to vote.

MOTION TO LAY ON TABLE.

Senator Swing moved, duly seconded by Senator Chamberlin, that Senator Hurley's motion be laid on the table.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators West, Hurley and Christian upon the motion to lay Senator Hurley's motion on the table. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion laid on the table by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Crowley, Fellom, Handy, Hollister, Johnson, Maloney, Mueller, Murphy, Nelson, Rush, Slater, Swing, and Taylor—17.

NOES—Senators Allen, N. M., Baker, Chamberlin, Cobb, Garrison, Gray, Hurley, Lyon, McKinley, Pedrotti, Tubbs, Waggy, Weller, and West—14.

EXCUSED FROM VOTING.

Senator Nelson asked that he be excused from voting on Senate Bill No. 90, stating that he was out of the Senate Chamber during the explanation and discussion of the bill, attending to business pertaining to the State in connection with his chairmanship of the Senate Committee on Revenue and Taxation; that he had not found time to study the bill and therefore could not cast an intelligent vote on the bill.

The President put the question: Shall the Senator, for the reasons as assigned by him, be excused from voting?

Senator Nelson was unanimously excused from voting by an oral vote of the Senate.

The roll was called, and Senate Bill No. 90 passed by the following vote:

AYES—Senators Boggs, Canepa, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, and West—24.

NOES—Senators Allen, J. M., Allen N. M., Baker, Breed, Chamberlin, Cobb, Evans, Hurley, Kline, Lyon, Pedrotti, Taylor, Waggy, and Weller—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### NOTICE OF MOTION TO RECONSIDER.

Senator McKinley gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 90 was passed.

#### MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Sharkey moved to reconsider the vote whereby Senate Bill No. 846 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 846 was refused passage carried by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Cobb, Crowley, Evans, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—30.

NOES—Senators Breed, Canepa, Fellom, Garrison, Jones, H. C., Murphy, and Nelson—7.

Senate Bill No. 846—An act to add four new sections to the Political Code, to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors.

Bill read third time previously.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 846 to Senator Swing, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, after the word and period "made.", begin a new sentence to read as follows: "In the event of any extension of any toll bridge franchise as herein provided, the value of such extension shall not be considered in estimating the fair cash value of the bridge for the purposes set forth in section 2881 of this code, and the board of supervisors shall require a reduction in toll rates based upon such extension."

Motion carried

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 846, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print and re-engrossment.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly Amendment to Senate Bill No. 432—An act to amend sections 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations.



## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-TWO.

## AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, after the comma following the word "state", insert the following: "or in bonds legal for investment by savings banks in this state,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 432?

The roll was called, and Assembly amendment to Senate Bill No. 432 concurred in by the following vote:

AYES—Senators Allen, N. M., Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Wagy, Weller, and West—27.

NOES—None.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 748—An act to amend section 453 of the Civil Code, relating to mutual benefit and life insurance associations, and the manner in which and the conditions upon which such associations may do business in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 748 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## SENATOR TUBBS IN THE CHAIR.

At twelve o'clock and forty minutes p.m., Senator Tubbs of the Nineteenth District was called to the chair.

Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 25 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8, and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 315 was passed on file.

Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 857 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Johnson, Jones, H. C., Kline, Lyon, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 788—An act to amend sections 364, 364*a*, 364*b*, 364*c* and 364*d* of the Political Code, and to add new sections to said act to be numbered 364*e* to 364*i*, inclusive, relating to a Department of Industrial Relations.

On motion of Senator Swing, Senate Bill No. 788 was passed on file.

Senate Bill No. 731—An act to provide for the establishment of setback lines by any county, city or city and county along any present or proposed street or highway.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill Senator McKinley moved to refer Senate Bill No. 731, as amended March 11, 1927, to Senator Weller, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

In line 1, of the title of the printed bill, as amended March 11, 1927, after the word "for" insert the following: "declarations of intention concerning street and highway opening and widening and".

##### AMENDMENT NUMBER TWO.

In line 2, of the title of the printed bill, as amended March 11, 1927, after the words "city and county" insert the following: "or by the State of California".

## AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, as amended March 11, 1927, after the word "municipality" insert the following: "or the California highway commission".

## AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, as amended March 11, 1927, after the word "council" insert the following: "or of said highway commission".

## AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed bill, as amended March 11, 1927, preceding the word "shall" insert the following: "or the California highway commission".

## AMENDMENT NUMBER SIX.

On page 2, line 2, of the printed bill, as amended March 11, 1927, after the word "council" insert the following: "or the California highway commission".

## AMENDMENT NUMBER SEVEN.

On page 2, line 4, of the printed bill, as amended March 11, 1927, strike out the word "thirty" and insert in lieu thereof the word "forty".

## AMENDMENT NUMBER EIGHT.

On page 2, line 18, of the printed bill, as amended March 11, 1927, preceding the word "may" insert the following: "or commission".

## AMENDMENT NUMBER NINE.

On page 2, line 24, of the printed bill, as amended March 11, 1927, after the word "council" insert the words "or California highway commission".

## AMENDMENT NUMBER TEN.

On page 2, line 32, of the printed bill, as amended March 11, 1927, after the word "council" insert the following: "or California highway commission".

## AMENDMENT NUMBER ELEVEN.

On page 2, line 36, of the printed bill, as amended March 11, 1927, after the word "council" insert the following: "or California highway commission".

## AMENDMENT NUMBER TWELVE.

On page 2, line 44, of the printed bill, as amended March 11, 1927, after the word "clerk" insert the following: "or secretary of said commission".

## AMENDMENT NUMBER THIRTEEN.

On page 2, line 45, of the printed bill, as amended March 11, 1927, after the word and comma "county," insert the following: "or counties wherein said property is located,".

## AMENDMENT NUMBER FOURTEEN.

On page 3, line 20, of the printed bill, as amended March 11, 1927, after the word "file", insert the following: "in the office of said board, council or commission".

## AMENDMENT NUMBER FIFTEEN.

On page 3, line 22, of the printed bill, as amended March 11, 1927, after the word "city" insert the following: "or state".

## AMENDMENT NUMBER SIXTEEN.

On page 3, line 26, of the printed bill, as amended March 11, 1927, after the word "city" insert the following: "or state".

## AMENDMENT NUMBER SEVENTEEN.

On page 3, lines 29 and 30, of the printed bill, as amended March 11, 1927, strike out the word "therefore" and insert in lieu thereof the following: "for the right to construct any building, fence or other structure".

## AMENDMENT NUMBER EIGHTEEN.

On page 3, line 42, of the printed bill, as amended March 11, 1927, after the word "therein" strike out the period and add the following: "other than the right to erect or construct thereon any building, fences or other structure".

## AMENDMENT NUMBER NINETEEN.

On page 3, line 47, of the printed bill, as amended March 11, 1927, strike out the word "provision" and insert in lieu thereof the word "decision".

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 731, with instructions to amend, respectfully reports the same back, amended as per instructions.

WELLER, Special Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class.

On motion of Senator Mueller, Senate Bill No. 66 was passed on file.

## SENATE CONSTITUTIONAL AMENDMENT No. 21.

A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of article IV, relating to the expenditure of public money in State aid.

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California, at its forty-seventh regular session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 22 of article IV of the constitution of this State be amended to read as follows:

Sec. 22. No money shall be drawn from the treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the controller; and no money shall ever be appropriated or drawn from the State treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a State institution, nor shall any grant or donation of property ever be made thereto by the State; *provided*, that notwithstanding anything contained in this or any other section of the constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; *provided, further*, that the Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions; *provided, further*, that the State shall have at any time the right to inquire into the management of such institutions; *provided, further*, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions: such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature; *provided, however*, that for the purpose of raising five million dollars, to be used in establishing, maintaining, and supporting in the city and county of San Francisco, State of California, an exposition in commemoration of the completion of the Panama Canal, to be known as the Panama-Pacific International Exposition, the State Board of Equalization shall, for the fiscal year beginning July 1, 1911, and for each fiscal year thereafter, to and including the fiscal year beginning July 1, 1914, fix, establish, and levy such an ad valorem rate of taxation, as when levied upon all the taxable property in the State, after making due allowance for delinquency, shall produce for each of such fiscal years a sum of one million two hundred fifty thousand dollars. The said taxes shall be levied, assessed, and collected upon every kind and character of property in the State of California not exempt from taxation under the law, and subject to taxation on the first day of July, 1910, and in the same manner, and by the same method, as other State taxes were levied, assessed, and collected under the law, as the same existed on the first day of July, 1910. The State Board of Equalization shall each year, at the time it determines the amount of revenue required for other State purposes, determine, fix, and include the rate of tax necessary to raise the revenue herein provided for.

There is hereby created in the State treasury a fund to be known as the Panama-Pacific International Exposition fund, and all moneys collected pursuant to this provision, after deducting the proportionate share of the expense for the collection of the same, shall be paid into the State treasury, and credited to such fund. All moneys so paid into such fund are hereby appropriated, without reference to fiscal years, for the use, establishment, maintenance and support of said Panama-Pacific International Exposition. No tax, license fee, or charge of any kind or character shall ever be levied or assessed or charged against any property of said Panama-Pacific International Exposition, or against any property used as exhibit therein, while being used or exhibited in connection therewith.

There is hereby created a commission to be known as the Panama-Pacific International Exposition Commission of the State of California, which shall consist of the Governor of said State and four other members to be appointed by the Governor, by and with the advice and consent of the Senate of said State. The Governor shall have the power to fill all vacancies occurring at any time in said commission. The members of said commission shall receive no compensation and shall hold office until such exposition shall have been closed and its affairs settled. Said four members of said commission shall be selected from different sections of the State, and the appointment thereof shall be made by the Governor of the State during the month of February, 1911. The commission hereby created shall have the exclusive charge and control of all moneys paid into the Panama-Pacific International Exposition Fund; and provided, further, that the Legislature shall pass all laws necessary to carry out the provisions of this act, including the times and the manner in which and the terms and conditions upon which moneys shall be drawn from the State treasury by said commission; where contracts and vouchers shall be filed; to whom and how often reports shall be made; what disposition shall be made of any sum left unexpended or received from the sale of any property or buildings purchased or constructed by said commission for the use of said exposition, or of any disposition of any building or improvement constructed by said commission out of said fund, and to provide for the transfer to the general fund of the State of California, of any portion of said Panama-Pacific International Exposition fund unused.

The commission herein created is authorized and directed to make such proper contract with the Panama-Pacific International Exposition Company, a corporation organized under the laws of the State of California on the twenty-second day of March, 1910, as will entitle the State of California to share proportionately with the contributors to the said Panama-Pacific International Exposition in the returns from the holding of said exposition at the city and county of San Francisco.

### Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 21 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—29.

NOES—None.

### Title read and approved.

Senate Constitutional Amendment No. 21 ordered transmitted to the Assembly.

### LEAVE OF ABSENCE.

Senator Breed was, on motion of Senator Crowley, granted leave of absence for the balance of this day.

### RECESS.

At one o'clock and fifty-five minutes p.m., on motion of Senator Jones, H. C., the President declared the Senate at recess until the hour of two o'clock p.m.

### RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 523—An act to amend an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended by adding two new sections thereto, to be numbered 2½ and 50½, relating to certification of warehousemen—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes;

Also: Senate Bill No. 88—An act to amend sections 1044, 1083b, 1096, 1096a, 1125, 1151, 1192, 1195b, 1204, 1205, 1210, 1261, 1262, 1264, 1265, of the Political Code, relating to registration of electors and conduct of elections;

Also: Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 864—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Assembly Bill No. 949—An act to amend sections 1, 2 and 7 of an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to describe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909, as amended, relating to the creation and powers of the county boards of forestry;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—11; absent—4.

SHARKEY, Chairman.

Senate Bill No. 864 ordered on file for second reading.

Assembly Bill No. 949 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 474—An act to amend section 602 of the Penal Code, relating to trespass;



Also: Senate Bill No. 867—An act to amend section 1033 of the Code of Civil Procedure, relating to costs;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bills Nos. 474 and 867 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 700—An act to amend section 1033 of the Code of Civil Procedure, relating to the partial distribution of estates of deceased persons—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bill No. 700 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 89—An act to amend section 1618 of the Code of Civil Procedure, relating to the compensation of administrators and executors;

Also: Senate Bill No. 726—An act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judges;

Also: Senate Bill No. 832—An act to amend section 1313 of the Civil Code, relating to restrictions on devises for charitable uses;

Also: Senate Bill No. 866—An act to amend section 1522 of the Code of Civil Procedure, relating to the sales of personal property;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Senate Bills Nos. 89, 726, 832 and 866 ordered on file for second reading.

#### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Senate Bill No. 186 ordered on file for second reading.

#### ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 852—An act reserving certain unappropriated waters for appropriation or disposition by the State of California, and providing for the appropriation thereof temporarily by others—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and printed, and that it be re-referred to committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

GARRISON, Chairman.

Senate Bill No. 852 ordered on file for second reading.

#### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Concurrent Resolution No. 16—Relative to the creation of a joint committee of the Senate and Assembly for the purpose of making a thorough study into the traffic situation on the highways of California, with particular reference as to the advisability of the adoption of a law requiring financial responsibility on the part of those

owning or operating motor vehicles using the highways and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—7; absent—4.

HOLLISTER, Chairman.

Senate Concurrent Resolution No. 16 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 701—An act to amend Political Code by adding thereto a section to be known as section 633aa, relating to license to act as life insurance broker—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

HOLLISTER, Chairman.

Senate Bill No. 701 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 260—An act to add a new section to the Civil Code, to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—11; committee vote: Ayes—7; absent—4.

HOLLISTER, Chairman.

Senate Bill No. 260 ordered on file for second reading.

#### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 18, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 226—An act to amend section 4300h of the Political Code, relating to coroners' fees—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CHRISTIAN, Chairman.

Senate Bill No. 226 ordered on file for second reading.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 765—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relative to the filing by contractors and others of bonds or certified checks:

Also: Senate Bill No. 766—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relative to the filing by contractors and others of bonds or certified checks:

Also: Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bills Nos. 765, 766 and 767 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts;

Also: Assembly Bill No. 157—An act to amend sections 4, 6, 8 and 13 and to add a new section to be numbered 38, to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the making of reassessments;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Senate Bill No. 132 ordered on file for second reading.

Assembly Bill No. 157 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 158—An act to amend sections 4 and 5 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended;

Also: Assembly Bill No. 943—An act to amend section 2656 of the Political Code, relating to the division of district funds, upon the incorporation of municipalities, or annexation to municipalities;

Also: Assembly Bill No. 974—An act to amend section 1 of an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude territory therefrom," approved March 20, 1889, relative to record of exclusion;

Also: Assembly Bill No. 975—An act to amend sections 4 and 10 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relative to municipal annexation procedure and the apportionment of road funds in connection therewith;

Also: Assembly Bill No. 993—An act to amend section 42 of the act known as the improvement act of 1911, approved April 7, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—11.

LYON, Chairman.

Assembly Bills Nos. 158, 943, 974, 975 and 993 ordered on file for second reading.



## ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 633—An act to amend section 452a of the Civil Code, relating to the incorporation of mutual benefit associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HOLLISTER, Chairman.

Assembly Bill No. 633 ordered on file for second reading.

## ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1095—An act to recognize and declare valid all proceedings in the organization, formation, and enlargement of Nevada Irrigation District—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6, absent—1.

GARRISON, Chairman.

Assembly Bill No. 1095 ordered on file for second reading.

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 257—An act to amend section 1461 of the Penal Code, relating to disposition of fines;

Also: Assembly Bill No. 318—An act to amend section 1457 of the Penal Code, relating to the disposition of fines;

Also: Assembly Bill No. 319—An act to amend section 1570 of the Penal Code, relating to the disposition of fines;

Also: Assembly Bill No. 553—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, as amended;

Also: Assembly Bill No. 598—An act to add a new section to be numbered 383a to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation thereof;

Also: Assembly Bill No. 647—An act to amend section 384 of the Penal Code, relating to the prevention and control of fires;

Also: Assembly Bill No. 938—An act to add a new section to the Code of Civil Procedure, to be numbered 1274b, relating to unclaimed moneys of missing persons; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Assembly Bills Nos. 257, 318, 319, 553, 598, 647 and 938 ordered on file for second reading.

## ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 498—An act to amend section 1 of an act entitled "An act to prevent the importation into the State of California of horses, mules, dairy cattle, breeding bulls, goats, breeding bucks and sheep, which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this act, and repealing an act approved June 4, 1913, entitled "An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules and asses, affected with glanders into the State of California,' approved March 7, 1911;" and repealing an act entitled "An act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are

affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this act, and repealing an act approved June 4, 1913, entitled "An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled "An act to prevent the importation of neat cattle for dairy or breeding purposes, affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an act entitled "An act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911," approved April 12, 1915, as amended, relating to health certificate and fee therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Assembly Bill No. 498 ordered on file for second reading.

#### ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 3 of article IV thereof, relating to the election and term of office of members of the Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, N. M., Chairman.

Assembly Constitutional Amendment No. 20 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 11 of article VI thereof, relating to municipal courts—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 28 ordered on file.

#### ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 11—Relating to securing the aid of the United States government in establishing a basis for execution of the coordinated plan for development of the water resources of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

McKINLEY, Vice Chairman.

Senate Joint Resolution No. 11 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 12—Relative to the appointment of a State commission to act for the State, in conjunction with the United States commission created by joint resolution approved December 2, 1924, in the George Washington celebration to be held in the year 1932—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—5; committee vote: Ayes—4; absent—1.

McKINLEY, Vice Chairman.

Senate Joint Resolution No. 12 ordered on file.

## ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges.

Also: Senate Bill No. 234—An act to amend an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualify applicants, with the designation of certified public accounts; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, by amending sections 2 and 3: by repealing sections 3a, 4 and 5; and by adding thereto new sections to be numbered 4, 5, 6, 7, 8, 9, 10, 11 and 12, relating to issuance of certificates; suspension of certificates and violations thereof;

Also: Senate Bill No. 800—An act to amend section 364d of the Political Code, relating to the location of the offices of the Department of Labor and Industrial Relations;

Also: Senate Bill No. 803—An act to provide for the appointment, employment, and compensation of the officers and employees of the Judicial Council of the State of California, and for the incidental expenses and disbursements of said council;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

SWING, Chairman.

Senate Bills Nos. 58, 234, 800 and 803 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State and making an appropriation to pay the salaries of said appointees, not otherwise provided for during the seventy-ninth and eightieth fiscal years;

Also: Senate Bill No. 805—An act to provide for the appointment, employment and compensation of the officers and employees of the Supreme Court of the State of California, and for the incidental expenses and disbursements of said court;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they be re-referred to Committee on Finance.

SWING, Chairman.

Senate Bills Nos. 318 and 805 ordered on file for second reading.

SECRETARY JOSEPH A. BECK AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 262—An act to add a new section to the Civil Code, to be numbered 36a, relating to the disaffirmance of life insurance contracts by minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 262 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded



indebtedness, and increasing or diminishing the capital stock of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 544 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 690—An act to amend sections 290*b*, 290*c*, 290*d* and 290*e* of the Civil Code, relating to corporations.

On motion of Senator Chamberlin, Senate Bill No. 690 was passed on file.

Senate Bill No. 60—An act to amend section 19 of the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to evidence.

On motion of Senator Maloney, Senate Bill No. 60 was passed on file.

Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings.

On motion of Senator Weller, Senate Bill No. 503 was passed on file.

Senate Bill No. 692—An act to amend section 2220 of the Civil Code, relating to the purposes for which trusts may be created.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 692 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Handy, Ingram, Johnson, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 694—An act to repeal section 847 and 857 of the Civil Code, relating to trusts on real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 694 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Christian, Cobb, Garrison, Handy, Ingram, Johnson, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 727—An act to amend section 453*hh* of the Civil Code, relating to land value insurance corporations.

On motion of Senator Gray, Senate Bill No. 727 was passed on file.

Senate Bill No. 261—An act to amend section 629*a* of the Political Code, relating to group life insurance and valuation thereof.

On motion of Senator Gray, Senate Bill No. 261 was passed on file.

Senate Bill No. 739—An act to add a new section to the Civil Code, to be numbered 452*b*, relating to mutual benefit and life insurance associations, and providing that such associations shall not pay or agree to pay any remuneration for solicitation of membership applications until they have complied with section 609 of the Political Code, and shall have procured a certificate of authority from the Insurance Commissioner, and shall have complied with all of the laws of this State applicable to such associations.

On motion of Senator Gray, Senate Bill No. 739 was passed on file.

Senate Bill No. 641—An act to amend section 19*b* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to probation officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 641 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 4 of article X thereof, relating to the State Board of Prison Directors.

On motion of Senator Baker, Senate Constitutional Amendment No. 11 was passed on file.

## CONSIDERATION OF SENATE BILL NUMBER EIGHT HUNDRED FORTY-SIX.

Senator Sharkey asked for and was granted unanimous consent to take up for third reading, out of the regular order, Senate Bill No. 846 for proposed amending.

Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors.

Bill read third time previously.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 846 to Senator Swing, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the period following the word "franchise" insert the following:

"All applications to extend franchises as herein provided shall be made and acted upon within two years after this act shall have become effective."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 846, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print and re-engrossment.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to rights of persons accused of crime and the taking of depositions in criminal cases.

On motion of Senator Baker, Senate Constitutional Amendment No. 10 was passed on file.

Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 414 passed by the following vote:

AYES—Senators Baker, Canepa, Chamberlin, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C. Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—Senator Fellom—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted.

On motion of Senator Baker, Senate Bill No. 377 was passed on file.



Senate Bill No. 394—An act to amend sections 954 and 956 of the Penal Code, relating to pleadings and form of indictment, information, or complaint in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 394 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Christian, Cobb, Crowley, Evans, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—30.

NOES—Senators Fellom, and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR MALONEY IN THE CHAIR.

At three o'clock and ten minutes p.m., Senator Maloney of the Twenty-third District was called to the chair.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases.

On motion of Senator Swing, Senate Bill No. 362 was passed on file.

Senate Bill No. 254—An act to amend section 2145, 2153a, 2187, 2189, 2090 and 2191 of the Political Code, relating to the Department of Institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 254 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

#### SENATE CONSTITUTIONAL AMENDMENT No. 26.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 2, 3 and 7 of article IX thereof.

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California the following amendments to the constitution of the State of California:

First. Section 2 of article IX of said constitution is hereby amended to read as follows:

Sec. 2. A Superintendent of Public Instruction shall at each gubernatorial election be elected by the qualified electors of the State and shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election. He shall be ex officio executive secretary of the State Board of Education and shall perform such other duties and receive such salary as are fixed by law.

Whenever it shall hereafter create the office of Director of Education the Legislature shall have power to transfer to and vest in said director all of the powers, duties, responsibilities and jurisdiction now or hereafter vested by law in the Super-

intendent of Public Instruction. If and when such office of Director of Education is created and such powers, duties, responsibilities and jurisdiction are so transferred the office of Superintendent of Public Instruction shall be and is hereby vacated and suspended and shall continue to be vacated and suspended during the continuance and the existence of such office of Director of Education.

Second, Section 3 of article IX of said constitution is hereby amended to read as follows:

Sec. 3. A Superintendent of Schools for each county shall be elected by the qualified electors thereof at each gubernatorial election, except in such counties as provide otherwise by county charter adopted in accordance with article XI of the constitution.

The Legislature may provide for a board of education in each county in the State, and fix its powers and duties except that county superintendents and county boards of education shall have power to examine applicants for teachers' certificates of elementary type and grade, to grant teachers' certificates and to make regulations whereby holders of State credentials of any type or grade may record such credentials and teach within the county under their jurisdiction without the issuance of a county certificate.

Third, Section 7 of article IX of said constitution is hereby amended to read as follows:

Sec. 7. The Legislature shall provide for the appointment by the Governor, with the advice and consent of two-thirds of the Senate, of ten qualified electors, of whom not more than six shall be of the same sex, who shall constitute the State Board of Education with such powers and duties, except as in this constitution provided, as shall be fixed by law. The terms of office shall be so fixed that two vacancies regularly occur on March first of each odd-numbered calendar year. The Governor shall fill vacancies, caused by death or resignation, for any unexpired terms, subject to confirmation by the Senate at its next regular session as provided for original appointments.

The State Board of Education shall, under such regulations as the Legislature may prescribe, provide, compile or cause to be compiled a uniform series of textbooks for use in the day and evening elementary schools throughout the State. The State board may cause such textbooks, when adopted, to be printed and published by the State Printing Office; and whenever and however such textbooks may be printed and published, they shall be furnished and distributed by the State free of cost or any charge whatever, to all children attending the day and evening elementary schools of the State, under such conditions as the Legislature shall prescribe. The textbooks, so adopted, shall continue in use for not less than four years, without any change or alteration whatsoever which will require or necessitate the furnishing of new books to such pupils, and said State board shall perform such other duties as may be prescribed by law.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.  
The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones, H. C., moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maboney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.

The Secretary announced the absentees.

Time, three o'clock and forty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

##### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 240—An act to amend sections 6, 11 and 16 of an act entitled "An act to promote the drainage of wet, swamp and over-

flowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," and to add to said act a section, to be numbered 24*b*, relating to reassessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 240 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Cobb, Crowley, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1001—An act providing for the use of water and gas lines and appurtenances constructed within municipalities or unincorporated territory of a county under any street improvement act; and providing limitations on the granting of such use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1001 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 88—An act to amend section 1465 of the Code of Civil Procedure, relating to provision for the support of the family.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 88 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 888—An act to amend section 4243 of the Political Code, relating to salaries of copyists appointed by the recorder.

Bill read third time.



## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 888 to Senator Handy, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the words "of copyists" and strike out all of line 3, and insert in lieu thereof the following: "expenses and fees of county officers in counties of the fourteenth class."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 888, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print.

Assembly Bill No. 90—An act to amend section 978 of the Code of Civil Procedure, relating to appeals to superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 90 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 505—An act to amend sections 5 and 6 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 505 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hurley, Ingram, Iman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 507—An act to amend sections 4 and 7 of an act entitled "An act to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of

the constitution of this State, for the municipal taxes of such cities, and for the equalization and correction of such assessment by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the nonpayment of such taxes and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this act," approved June 6, 1912.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 507 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and eight minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones, H. C.

The Secretary was directed to call the roll on the final adoption of Senate Constitutional Amendment No. 26.

The roll was called, and Senate Constitutional Amendment No. 26 adopted by the following vote:

AYES—Senators Baker, Boggs, Canepa, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, and Tubbs—27.

NOES—Senators Allen, J. M., Allen, N. M., Cobb, Evans, Lyon, McKinley, Wagy, Weller, and West—9.

Title read and approved.

Senate Constitutional Amendment No. 26 ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 442—An act to amend "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, as amended, by adding a new section thereto, to be numbered section 25½, providing

for the payment of certain work by special tax and authorizing the levy of special tax therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 442 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At four o'clock and ten minutes p.m., on motion of Senator Inman, the President declared the Senate at recess until the hour of four o'clock and fifteen minutes p.m.

RECONVENED.

At four o'clock and fifteen minutes p. m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

PRESENTATION OF PETITION—(OUT OF ORDER).

The following petition was presented, and ordered printed in the Journal:

By Senator Jones, H. C.:

STATE OF CALIFORNIA  
DEPARTMENT OF INSTITUTIONS  
AGNEW'S STATE HOSPITAL

AGNEW, CALIFORNIA, March 24, 1927.

*Hon. Herbert C. Jones, State Senator,  
Sacramento, California.*

MY DEAR MR. JONES: I think you are absolutely correct in the position you take in regard to Senate Bill No. 386.

I do not think a definite period of detention should be fixed for any one being sent to a State hospital for the insane on account of mental trouble, whether the person so sent has committed a criminal act or not.

Under observation with the opportunity afforded in a State hospital very often the mental condition can be determined in a very short time; while, of course, longer observation is sometimes necessary. I can not conceive of any case requiring a year.

Whenever it has been determined either that a patient is not insane, or that he has recovered, I think the superintendent should have the right to discharge the patient and, moreover, the patient should have a right to go, and if the superintendent does not discharge him the right to appeal to the court.

I am wondering also if compelling a sane man to remain in a hospital for the insane would not be depriving him of his constitutional rights.

I can not see any good object to be accomplished by exacting a year's residence. To me it does not seem to be necessary even in protection or justice to the public, nor in justice to the person committed, or the hospital. My opinion is concurred in by members of my medical staff.

Yours very truly,  
(Signed)

LEONARD STOCKING,  
Medical Superintendent.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relative to the general powers of supervisors.

Bill read third time.



## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1006 to Senator Canepa, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 3, line 34, of said printed bill, strike out the period following the word "person", and insert in lieu thereof a semicolon and the following: "except that the board shall be authorized and empowered to secure by agreement for the needy sick and dependent and partially dependent citizens in cases of emergency, hospital care including medical, surgical, x-ray, laboratory, nursing and general hospital service at cost from persons, firms and corporations then and there maintaining and operating hospitals in the county or city and county. Such hospitals shall be only those whose organization and management show that they are qualified to render and are actually rendering services to the sick, economically and efficiently and the books for the operation and conduct of which reflect accurately in monthly statements the per diem cost of medical, surgical, x-ray, laboratory, nursing and general hospital service to patients."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1006, with instructions to amend, respectfully reports the same back, amended as per instructions.

CANEPA, Special Committee.

Report read, and on motion of Senator Sharkey adopted.  
Bill ordered to print.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 499—An act to authorize the repayment of money paid or collected by error or mistake or under an unconstitutional law:

Also: Senate Concurrent Resolution No. 17—Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall:

Also: Senate Bill No. 569—An act to provide for the separation of crossings of highways and steam and electric railways in the State of California providing that certain funds shall be devoted to said purposes to be expended by the California Highway Commission subject to certain orders of the State Railroad Commission:

Also: Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to headlights:

Also: Senate Bill No. 652—An act creating in the Division of Libraries a commission on California representation at the national statutory hall at Washington, District of Columbia, and defining the powers and duties thereof:

Also: Senate Bill No. 659—An act providing for the exchange of certain lands of the State, situate in a national park, and for the management and control of the lands acquired in exchange:

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 30, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 403—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution, so as to give wage claimants the right to levy execution on one-half of the wages due a judgment debtor:

Also Assembly Bill No. 460—An act to amend sections 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289 and 1290 of the Code of Civil Procedure, and to add four new sections to said code to be numbered 1280, 1291, 1292, and 1293, relating to arbitration and awards:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—34; committee vote: Ayes—13; absent—1.

JONES, H. C., Chairman.

Assembly Bills Nos. 403 and 460 ordered on file for second reading.

#### ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Friday, April 1, 1927.

#### IN SENATE.

##### SENATE CHAMBER.

SACRAMENTO, Friday, April 1, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 31, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVES OF ABSENCE.

Senator Hollister was, on motion of Senator Baker, granted leave of absence for this day.

Senator Allen, N. M., was, on motion of Senator Wagy, granted leave of absence for this day.

Senator Young was, on motion of Senator Tubbs, granted leave of absence for this day.

Senators Hurley and Christian were, on motion of Senator West, granted leave of absence for this day.

Senator Breed was, on motion of Senator Crowley, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Taylor, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. George E. Glover of Long Beach, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. P. M. Sanford of Richmond, California.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Judge John L. Hudner of Hollister, California, superior judge of San Benito County.

On request of Senator Wagye, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. James Ogden Reavis of Bakersfield, California, and Mr. Norman Francis Main of Taft, California.

## PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

## WOMAN'S TEN THOUSAND CLUB, EL CENTRO, CALIFORNIA.

*Resolved*, That The Woman's Ten Thousand Club is heartily in favor of, and urges the passage of Assembly Bill No. 167, providing special schools for the children of migratory workers; and

*Resolved*, That copies of this resolution be sent to Senator Kline, Assemblyman Witter, and to Miss Eleanor Miller.

HELENE W. HALE, President.

RUTH C. ROSS, Secretary.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1178—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by amending sections 1, 2, and 5 thereof, and by adding three new sections thereto to be numbered 8½, 8¾, and 13½, providing for testing the validity of bonds, the issuance of additional bonds, and making applicable the Improvement Act of 1911 for the construction of the work and acquiring property therefor;

Also: Assembly Bill No. 1185—An act to provide for the disposition of fines and forfeitures heretofore collected, in any police court, city justices' court or recorder's court in cities or towns of the fifth and sixth class, but not yet transmitted to the county treasurer;

Also: Assembly Bill No. 1215—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 1178 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1185 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1215 read first time, and referred to Committee on Federal Relations.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 718—An act to amend section 2322<sup>1</sup>/<sub>13</sub> of the Political Code, relating to salary and expenses of the county horticultural commissioner in counties of the thirtieth class:

Also: Assembly Bill No. 928—An act authorizing the State Department of Education to grant a right of way over certain State property located at Mount Shasta:

Also: Assembly Bill No. 1000—An act to reserve a part of San Francisco Bay and lands bordering thereon, for park purposes only:

Also: Assembly Bill No. 1002—An act to add a new section to the code of Civil Procedure, to be numbered 1236, relating to the dissolution of a corporation upon complaint of the owners of more than one-third of the subscribed capital stock of the corporation:

Also: Assembly Bill No. 1158—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon swamp lands adjacent to said river, directing the State engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 23a, authorizing a reclamation district that may have sold or transferred any of its levees or property to Sacramento and San Joaquin Drainage District, Sutter Butte By-Pass Project No. 6, or any other unit or project, and received warrants issued by said Sacramento and San Joaquin Drainage District or Sutter Butte By-Pass Project No. 6, or any other project thereof, in exchange or payment therefor, or may have received or may receive compensation for any property included in any plan now or that may hereafter be adopted for controlling the flood waters of Sacramento and San Joaquin rivers, or their tributaries, to exchange said warrants for outstanding warrants issued by such reclamation district and also providing that in any new, additional or supplemental assessment of such reclamation district, there shall be determined the amount that should be assessed upon tracts of land the benefits accrued from the expenditures represented by the warrants of the reclamation district exchanged or paid for by warrants of Sacramento and San Joaquin Drainage District, and also the amount that should have been apportioned of warrants of Sacramento and San Joaquin Drainage District, and providing that if the amount that would have been assessed against each tract of land is greater than the amount to which such tract or owner thereof would have been entitled on distribution of warrants, such excess shall be assessed to each tract of land and if the amount be less, the difference shall be paid to the owner of such tract by such reclamation district.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 718 read first time, and referred to Committee on County Government.

Assembly Bill No. 928 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1000 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1002 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1158 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 611—An act to amend section 602 of the Penal Code, relating to trespass:

Also: Assembly Bill No. 630—An act to amend section 10 of the Political Code, relating to holidays:

Also: Assembly Bill No. 672—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class:

Also: Assembly Bill No. 678—An act providing for the creation and management of the Tamalpais State Park and creating a board of five commissioners, with power to acquire land for the creation of said park, and for additions thereto and to manage and maintain said Tamalpais State Park and to appoint a guardian therefor;

Also: Assembly Bill No. 706—An act to amend section 2322.31 of the Political Code, relating to the creation of deputies of the horticultural commissioner for the counties of the thirty-first class and the fixing of their salaries;

Also: Assembly Bill No. 707—An act to amend section 4 of an act entitled "An act to create the office of public defender, to provide for the election of such officers and prescribing their duties and compensation," approved May 24, 1921, relating to the compensation of public defender.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 611 and 630 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 672 read first time, and referred to Committee on County Government.

Assembly Bill No. 678 read first time, and referred to Committee on Conservation.

Assembly Bill No. 706 read first time, and referred to Committee on County Government.

Assembly Bill No. 707 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 194—An act declaring portions of the lands conveyed to the city of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof" approved May 1, 1911, as amended, unavailable for navigation and fishery and excluding such portions from use for navigation, commerce and fishing, and granting such portions of said tidelands to the city of San Diego and county of San Diego for certain county and municipal purposes;

Also: Assembly Bill No. 221—An act to add a new section to be numbered 2a to an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended, relating to the protection of bears;

Also: Assembly Bill No. 423—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment;

Also: Assembly Bill No. 424—An act to amend section 540 of the Code of Civil Procedure, relating to the issuance of writs of attachment;

Also: Assembly Bill No. 492—An act to amend section 900 of the Code of Civil Procedure, relating to judgment lien in justice's court;

Also: Assembly Bill No. 590—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities;

Also: Assembly Bill No. 601—An act to amend the Penal Code by adding thereto a new section to be numbered 628k, relating to the protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 194 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 221 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 423, 424, 492 and 590 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 601 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Concurrent Resolution No. 25—Approving an amendment to the charter of the city of Alameda, after due ratification by a majority of the qualified voters of said city at an election held therein on the eighth day of March, 1927;

Also: Assembly Concurrent Resolution No. 26—Approving four certain amendments to the charter of the city of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of March, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Concurrent Resolutions Nos. 25 and 26 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 813—An act to amend section 633 of the Civil Code, relating to building and loan associations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 813 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 57 thereof, relating to the compensation of directors and other officers—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 57 thereof, relating to the compensation of directors and other officers.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SIXTEEN.

##### AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed amended bill, strike out the period after the word "board", and insert in lieu thereof a semicolon and the words "*Provided*, that in irrigation districts containing five hundred thousand acres or more the directors, in lieu of said per diem, shall each receive a salary of two hundred dollars per month."

##### AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the word "ten dollars" and insert in lieu thereof "eight dollars".

##### AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "seven".

##### AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, after the word "dollars", strike out the word "seven" and insert in lieu thereof the word "eight."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 316?

The roll was called, and Assembly amendments to Senate Bill No. 316 concurred in by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Evans, Gray, Handy, Ingram, Johnson, Jones, Ray; Kline, Maloney, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and West—22.

NOES—None.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 24—Approving a certain amendment to the charter of the city of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the tenth day of March, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Concurrent Resolution No. 24 ordered to enrollment.

MESSAGE FROM THE GOVERNOR.

The following message from the governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,  
March 31, 1927.

*To the Senate of the State of California.*

Senate Bill No. 221 is herewith returned without my approval.

This bill seeks to amend Section 307 of the Civil Code, relating to the manner of electing directors of cooperative agricultural corporations and organizations. In this bill there is a serious discrepancy between the title and the body of the bill, which would be almost certain to render it inoperative if it were enacted in the law.

There is, moreover, no corporation designated under our law as a "mutual, cooperative non-profit agricultural corporation" or organization, and the exclusion of such corporations or organizations from the provisions of section 307, would consequently have little meaning.

I have pointed out to the author of the bill this and other defects which have inadvertently been included in this measure and he proposes to cure them by the introduction of another bill on the same subject.

Respectfully,

C. C. YOUNG, Governor.

SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 221, read.

The question being: Shall Senate Bill No. 221 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellow, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Murphy, Rush, Slater, Taylor, Tubbs, Waggy, and West—24.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 801—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident or on account of fire—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

PEDROTTI, Chairman.

Assembly Bill No. 801 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 236—An act to amend section 1362 of the Political Code, relating to the counting and disposition of absentee ballots:

Also: Assembly Bill No. 239—An act to amend an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 13, 1912, as amended, by amending sections 1 and 4 thereof, and by adding thereto a new section to be numbered 6, relating to special precincts;

Also: Assembly Bill No. 242—An act to add a new section to the Political Code, to be numbered 1266a, relating to the establishment of election return centers and the reporting of certain election returns;

Also: Assembly Bill No. 811—An act to amend sections 1113 and 1115 Political Code, relating to the preparation of registration books;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—11.

FELLIOM, Chairman.

Assembly Bills Nos. 236, 239, 242 and 811 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 86—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of the polls—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FELLIOM, Chairman.

Assembly Bill No. 86 ordered on file for second reading.

#### ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 180—An act to amend sections 1 and 2 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same, and providing penalties therefor," approved March 20, 1903, as amended, by reducing the criminal penalty and adding a civil penalty for violation thereof and by making its provisions apply to misrepresentations regarding the existence of work and the length of time such work will last;

Also: Assembly Bill No. 870—An act to amend sections 3 and 6 of an act entitled "An act regulating the employment of women and minors and establishing and Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended, and to add a new section thereto, to be numbered 11a;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

MURPHY, Chairman.

Assembly Bills Nos. 180 and 870 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; noes—3; absent—2.

MURPHY, Chairman.

Assembly Bill No. 263 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 15—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works, by requiring contractors, or their agents, to file

with the officer, board or commission awarding the contract a verified report as to the nature of any extraordinary emergency when their employees are permitted to work over eight hours per day, together with the names of the said employees and the hours worked per day, making failure to file said report within thirty days prima facie proof that no extraordinary emergency existed, also making it a misdemeanor for any contractor or subcontractor on public work, or agent thereof, to violate any of the provisions of the said section;

Also: Assembly Bill No. 216—An act to amend section 4 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employment, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the posting of notices with reference to the time of payment of wages, the place where wages shall be paid, manner of payment, payment in case of strikes and penalties for violations thereof, so as to make the civil penalty for failing to pay the wages of workers monthly or semiannually entirely independent of the criminal penalty, to provide for the bringing of the civil actions for the said penalties by the said commissioner in the name of "the people of the State of California," delegating to the said commissioner and his attorneys the authority to so proceed and to provide for the consolidation of several causes of action for the said penalties without separately stating them, also for the payment of such penalties without suit;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

MURPHY, Chairman.

Assembly Bills Nos. 15 and 216 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 33—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

MURPHY, Chairman.

Senate Bill No. 33 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 35—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State and prescribing punishment for the violation of the provisions hereof;

Also: Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in applications therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the Commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies;



Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

MURPHY, Chairman.

Senate Bills Nos. 35 and 44 ordered on file for second reading.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 592—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended, relating to the disability of children;

Also: Assembly Bill No. 908—An act to amend section 1687 of the Political Code, relating to the salaries of teachers;

Also: Assembly Bill No. 819—An act to add three new sections to the Political Code, to be numbered 1780, 1620a, and 1543c, providing for the cooperative purchase of standard school supplies and equipment by school districts;

Also: Assembly Bill No. 571—An act to amend section 1771 of the Political Code, relating to the suspension or revocation of teachers' certificates;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bills Nos. 592, 908, 819 and 571 ordered on file for second reading.

#### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 769—An act to amend section 1510, 1511b and 1514 of the Penal Code, relating to the powers and duties of coroners;

Also: Assembly Bill No. 942—An act to add a new section to the Political Code, to be numbered 4082, relating to lost or destroyed county warrants;

Also: Assembly Bill No. 944—An act to amend section 4197 of the Political Code, relating to annual report of Law Library;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bills Nos. 769, 942 and 944 ordered on file for second reading.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 837—An act to amend section 1764c of the Political Code, relating to special classes in day and evening schools—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bill No. 837 ordered on file for second reading.

#### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 866—An act to amend section 2322c of the Political Code, relating to county horticultural commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Agriculture.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bill No. 866 ordered re-referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-fifth class:

Also: Assembly Bill No. 559—An act to amend section 4269 of the Political Code, relating to salaries, fees and expenses of county officers of counties of the fortieth class:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bills Nos. 417 and 559 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 542—An act to amend an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors, whether in county jails or in city prisons, by amending said act so as to provide that in cities where a municipal court has been established, the board of parole commissioners for such municipal court shall consist of the presiding judge of said court, the chief of police and the prosecuting attorney of such city;

Also: Senate Bill No. 851—An act to validate the organization and existence of county water districts;

Also: Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale;

Also: Senate Bill No. 870—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class;

Also: Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Senate Bills Nos. 542, 851, 689, 870 and 874 ordered on file for second reading.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 864—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 474—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 867—An act to amend section 1033 of the Code of Civil Procedure, relating to costs:

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 700—An act to amend section 1663 of the Code of Civil Procedure, relating to the partial distribution of estates of deceased persons.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

## AMENDMENT NUMBER ONE.

On page 1, line 25, of the printed bill, after the period insert the following: "Notice of such application must be given to all persons interested in the estate, in the same manner that notice is required to be given of the settlement of the account of an executor or administrator."

Any person interested in the estate may appear at the time named and resist the application.

If, at the hearing, it appears that the allegations of the petition of said executor, administrator, coexecutor, or coadministrator, are true, and the court is satisfied that no injury can result to the estate by granting the petition, the court must make an order directing the executor or executors, administrator or administrators, as the case may be, to deliver to the heirs, legatees, devisees, or to their assigns, grantees or successors in interest, the whole portion of the estate to which they may be entitled or only a part thereof, designating it.

If, in the execution of the order, a partition is necessary between two or more of the parties interested, it must be made in the manner hereinafter prescribed. The costs of the proceedings under this section must be paid by the estate, excepting that in case a partition is necessary, the costs of such partition must be apportioned amongst the parties interested in such partition."

Amendment adopted

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 89—An act to amend section 1618 of the Code of Civil Procedure, relating to the compensation of administrators and executors.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

Strike out the title of the printed bill and insert in lieu thereof the following :

An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof within, municipal corporation.

Amendment adopted.

## AMENDMENT NUMBER TWO.

• In line 1 of the printed bill, beginning with the word and figure "Section 1", strike out all of the remaining portion of the printed bill, and insert in lieu thereof the following :

SECTION 1. Any territory which purports to have been heretofore annexed to, incorporated in, and included within, a municipal corporation under any proceedings taken for that purpose, the certified record whereof shall have heretofore been filed by the secretary of state, is hereby declared to be and to have been, since the filing of said record, duly annexed to, incorporated in, and included within, such municipal corporation; and all proceedings for the annexation of such territory are hereby validated and declared legal; *provided, however*, that this act shall not operate to legalize an annexation where the majority of the electors of the territory purporting to have been annexed have not voted in favor of such annexation at an election held for that purpose.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 726—An act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judges.



COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, strike out the words "or justice of the peace of the township".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 35, of the printed bill, strike out all of said line beginning with the word "governor", and ending with the word "court", also strike out all of line 36 and the words "the governor" in line 37, and insert in lieu thereof the words "judicial council of the State of California".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 40, of the printed bill, strike out the words "or justice of the peace".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 44, of the printed bill, strike out the words "or justice of the peace".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 45, of the printed bill, strike out the words "or justice".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 46, of the printed bill, strike out the words "or justice".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 47, of the printed bill, strike out the words "or justice of the peace".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 2, of the printed bill, strike out the word "governor", and insert in lieu thereof the words "judicial council".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 832 —An act to amend section 1313 of the Civil Code, relating to restrictions on devises for charitable uses.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "ninety".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out the semicolon following the word "valid", and insert in lieu thereof a period.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

In line 9 of the printed bill, beginning with the word "provided", strike out all of the remaining portion of the printed bill.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 866—An act to amend section 1522 of the Code of Civil Procedure, relating to the sales of personal property.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, lines 1 to 3 of the title, strike out the whole thereof, and insert in lieu thereof the following:

An act to amend section 1523 of the Code of Civil Procedure, relating to the sale of personal property by executors and administrators.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 22, inclusive, and insert in lieu thereof the following:

SECTION 1. Section 1523 of the Code of Civil Procedure is hereby amended to read as follows:

1523. If claims against the estate have been allowed, and a sale of property is necessary for their payment, or for the expenses of administration, or for the payment of legacies, the executor or administrator may sell all or so much of the personal property as may be necessary therefor. He may also make a sale from time to time, so long as any personal property remains in his hands, and sale thereof is necessary. If it appear for the best interests of the estate, he may, at any time after filing the inventory, in like manner sell the whole or any part of the personal property belonging to the estate, whether necessary to pay debts or not, without notice other than the notice required by sections 1380, 1761 and 1789 of this code where applicable. Such sale to take effect only upon confirmation by the court, except in the sale of stocks or bonds when the court has, upon (a verified) petition previously presented, made its order authorizing the sale and transfer thereof, and fixing the terms and conditions upon which the same is to be made.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "twenty-five", and insert in lieu thereof the words "seventy-five".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 852—An act reserving certain unappropriated waters for appropriation or disposition by the State of California, and providing for the appropriation thereof temporarily by others.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill, by striking out the word "temporarily", in line 3 thereof.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of section 3 of the printed bill, lines 23 to 27, both inclusive, page 1, and lines 1 to 4, both inclusive, page 2, of the printed bill, and add in lieu thereof after the word "California", in line 22, page 1, of the printed bill, the following: "and may also be appropriated as provided in the water commission act of the State of California by others; *provided, however*, that any such appropriation by others shall be temporary in so far as it shall interfere with or hinder the use or re-use of said reserved waters in the complete and practical realization of the aforesaid coordinated plan and to the extent of such interference any such appropriation by others shall be subsequent in right to the utilization of said reserved waters in the complete and practical realization of the aforesaid coordinated plan and no rights shall inure to or vest in favor of such temporary appropriation or appropriator as against the state, or as against the complete and practical realization of said coordinated plan through the agency of the state or any political subdivision or public corporation thereof, or as against such ultimate disposition of said reserved waters as may be hereafter made by act of the Legislature".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of section 4 of the printed bill, lines 5 to 11, both inclusive, page 2, of the printed bill, and insert in lieu thereof the following:

SEC. 3. All permits for the appropriation of water issued under the water commission act after January 1, 1927, and licenses issued pursuant to such permits shall be subject to the provisions of this act; *provided, however*, that nothing in this act contained shall be construed to affect any such permit or any such license issued after such date upon an application to appropriate unappropriated water filed under said water commission act and prior to such date by any county, city and county, municipality, irrigation district, water storage district, water conservation district, county water district, water district or other political subdivision, public corporation or state agency; *and provided, further*, that nothing in this act contained shall be construed to affect any such permit or any such license issued after such date upon an application to appropriate unappropriated water filed under said water commission act and prior to January 1, 1927, which does not prevent the use or re-use thereof in the complete and practical realization of the aforesaid coordinated plan".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Irrigation.

Senate Bill No. 701—An act to amend Political Code by adding thereto a section to be known as section 633aa, relating to license to act as life insurance broker.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "license", insert the words "under the provision of this section".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the following: "nothing herein contained shall be con.". And on said page 1, strike out all of lines 7, 8, 9, 10 and 11, and in lieu thereof insert the following: "The fee for the issuance of such



license shall be the sum of one dollar. Nothing herein contained shall be construed as giving such agent authority to act under the provisions of either sections 633 or 633a of the Political Code, without obtaining a license thereunder, nor shall any licensee under said sections 633 or 633a of the Political Code have authority to act as a life insurance agent under the provisions of this section, but he may act as a life insurance broker."

Amendment adopted. •

AMENDMENT NUMBER THREE.

On page 1, of the printed bill, strike out all of lines 12, 13 and 14, and in lieu thereof insert the following: "Any person so appointed and authorized by the insurance commissioner shall be".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 15, of the printed bill, strike out the word "or", and in lieu thereof insert the word "an".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, of the printed bill, strike out the words "and upon" at the end of line 18, and strike out all of lines 19, 20, 21, and in line 22 strike out the following: "same character required under section 633a."

Amendment adopted

AMENDMENT NUMBER SIX.

On page 2, line 28, of the printed bill, strike out the following: "health, life". And on said page 2, line 29, strike out the words "interest or property", and in lieu thereof insert the word "life".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 260—An act to add a new section to the Civil Code to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, commencing with the word "The", strike out down to and including the word "assets," in line 17, and insert in lieu thereof the following: "Any policy of life or endowment insurance may provide that the proceeds thereof or payments thereunder shall not be subject to transfer, anticipation or commutation or encumbrance by any beneficiary, and shall not be subject to the claims of creditors of any beneficiary or any legal process against any beneficiary."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Insurance.

Senate Bill No. 226—An act to amend section 4300h of the Political Code, relating to coroners' fees.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

That in line 26 of said printed bill, the period following the word "charge" be stricken out, and that there be inserted in lieu thereof a semicolon and the following:

"provided, that in any county where the coroner is paid a salary, the fees paid under the terms of this section shall be paid into the county treasury."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 765—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bond," approved June 16, 1913, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 766—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 4, line 6, of the amended printed bill, after the word "published", appearing in lines 5 and 6, insert the following: "in each county".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 19, line 52, of the amended printed bill, strike out the words "municipal utility", and insert in lieu thereof the words "metropolitan water".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 5, line 50, of the amended printed bill, after the word "use", strike out the period and insert in lieu thereof a comma and the following: "*and provided, further,* that any district organized under the provisions of this act shall not have or exercise the power of eminent domain for the purpose of condemning or taking any water or right to water conserved or stored behind any flood control dam that has been or may hereafter be built or constructed by any flood control district created by act of Legislature of this state.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Joint Resolution No. 12—Relative to the appointment of a State commission to act for the State, in conjunction with the United States commission created by joint resolution approved December 2, 1924, in the George Washington celebration to be held in the year 1932.

## COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out the words "members of the Assembly".

Amendment adopted.

Senate Joint Resolution No. 12 read, ordered to print, engrossment, and on file.

Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.



AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 9, of the printed bill, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 9, of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, strike out the word "successors", and insert in lieu thereof the word "successor".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 11, of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 13, of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 234—An act to amend an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualify applicants, with the designation of certified public accountants; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, by amending sections 2 and 3; by repealing sections 3a, 4 and 5; and by adding thereto new sections to be numbered 4, 5, 6, 7, 8, 9, 10, 11 and 12, relating to issuance of certificates, suspension of certificates and violations thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the word "amending" in line 7 of the title, strike out the remaining words of the title, that is, lines 7, 8, 9, 10 and 11, and insert in lieu thereof the following: "subdivision 3 of section 2, by providing that no person shall be compelled to work or be employed, at any time, in the office of a certified public accountant as a prerequisite to taking such examination".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the printed bill beginning at the word "section", when it first occurs on line 1, page 1, down to and including the word "unconstitutional" in line 11, page 6, and insert in lieu thereof the following: "subsection 3 of section 2 is hereby amended to read as follows:

To grant certificates of qualification to such applicants as may, upon examination, be found qualified in "theory of accounts", "practical accounting", "auditing", and "commercial law", to practice as certified public accountants; *provided, however,*

that no person shall be compelled to work or be employed at any time in the office of a certified public accountant as a prerequisite to taking such examination".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 800--An act to amend section 3647 of the Political Code, relating to the location of the offices of the Department of Labor and Industrial Relations.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "three hundred sixty-four d", and insert in lieu thereof the following : "three hundred forty-nine".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out the following : "relating to the location of the offices of the department of labor and industrial relations", and insert in lieu thereof the following : "relating to the location of the offices of the departments and the residence of the heads thereof."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 6, both inclusive, and insert in lieu thereof the following :

SECTION 1. Section 349 of the Political Code is hereby amended to read as follows :

349. Each department, when created, shall be conducted under the control of an officer or body as head thereof. Unless otherwise expressly provided in the constitution or in any act creating a new department, or amendatory thereof, the officer or body at the head of each department, and all members of boards created by law thereunder, shall be appointed by the governor, to hold office at his pleasure. Each department shall maintain its office and the head of each office or department shall reside at Sacramento.

Each department shall adopt and keep an official seal.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 803--An act to provide for the appointment, employment, and compensation of the officers and employees of the Judicial Council of the State of California, and for the incidental expenses and disbursements of said council.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

##### AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following :

An act to amend chapter four of title one of part three of the Political Code by amending section seven hundred twenty-six thereof and adding thereto a new section to be known as seven hundred twenty-seven, to relate to the judicial council and the duty of county clerks and clerks of the various courts.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

Strike out all after the enacting clause and insert in lieu thereof the following :

SECTION 1. Chapter IV of title I of part III of the Political Code is hereby amended to read as follows :

CHAPTER IV.

JUDICIAL COUNCIL.

Sec. 726. The judicial council shall have power and authority to appoint and employ, during its pleasure, such officers, assistants, and other employees as it may deem necessary for the performance of the duties and exercise of the powers conferred by law upon said council and the members thereof, and to determine the duties and fix and provide for the compensation of all such officers, assistants, and other employees. All salaries and expenses incurred by said council pursuant to the provisions of this act, including the necessary expenses for travel, board and lodging of the members of the council and said officers, assistants, and other employees incurred in the performance of the duties and business of said council, shall be paid from the funds appropriated for the use of said council, when approved in such manner as the council shall direct, and audited by the state board of control.

Sec. 2. Chapter IV of title I of part III of the Political Code is hereby amended by adding a new section thereto to be known as section 727 and to read as follows:

Sec. 727. It shall be the duty of the county clerks, and clerks of all courts of record, and also of the clerks of such inferior courts as may have a clerk, to cooperate with the judicial council; also to keep such records and make such reports to the council, in such manner and at such times, as the chairman of the council shall require, respecting the condition, and manner of disposal, of judicial business in their respective courts.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State and making an appropriation to pay the salaries of said appointees, not otherwise provided for during the seventy-ninth and eightieth fiscal years.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "one", insert "chief".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, after the word "thousand", insert "five hundred".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, strike out "three", and insert in lieu thereof "four".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 805—An act to provide for the appointment, employment and compensation of the officers and employees of the Supreme Court of the State of California, and for the incidental expenses and disbursements of said court.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title and insert in lieu thereof the following:

An act to amend sections seven hundred forty-nine, seven hundred fifty-five, seven hundred fifty-six and seven hundred sixty-seven of the Political Code, and to provide for the appointment, employment and compensation of phonographic



reporters, assistants, secretaries, librarian and other employees of the supreme court of the State of California, and for the salaries and expenses incurred by the said court under the provisions of this act, and making an appropriation therefor, and repealing sections seven hundred thirty-nine, seven hundred fifty one and one-half, seven hundred sixty-nine, seven hundred seventy, two thousand three hundred thirteen, two thousand three hundred fourteen, two thousand three hundred fifteen and two thousand three hundred sixteen of the Political Code, and sections two hundred sixty-five, two hundred sixty-six and two hundred sixty-eight of the Code of Civil Procedure.

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

Strike out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. Section 749 of the Political Code is hereby amended to read as follows:

749. The supreme court shall have power and authority to appoint and employ during its pleasure such phonographic reporters, assistants, secretaries, librarian and other employees as it may deem necessary for the performance of the duties and exercise of the powers conferred by law upon said court and the members thereof, and, except as in this chapter otherwise provided, to determine the duties and fix and pay the compensation of all such officers and employees.

All salaries and expenses incurred under the provisions of this act by said court shall be paid from the funds appropriated for the use of said court, when approved by the order or orders of said court, and audited by the board of control.

SEC. 2. Section 755 of the Political Code is hereby amended to read as follows:

755. The annual salary of the clerk of the supreme court and ex officio secretary of the judicial council is six thousand dollars.

SEC. 3. Section 756 of the Political Code is hereby amended to read as follows:

756. The annual salary of the chief deputy clerk of the supreme court shall be three thousand three hundred dollars; the annual salary of each of the deputy clerks of the supreme court shall be two thousand seven hundred dollars. The salaries of the chief deputy clerk and the deputy clerks of the supreme court shall be paid out of the state treasury in the same manner and at the same time as the salaries of other state officers are paid.

SEC. 4. Section 767 of the Political Code is hereby amended to read as follows:

767. The annual salary of the reporter of decisions of the supreme court and of the district courts of appeal is four thousand five hundred dollars; and the salaries of the assistant reporters of the decisions of the supreme court and the district courts of appeal are one at three thousand three hundred dollars per annum and two at two thousand one hundred dollars per annum each.

SEC. 5. The sum of twenty-seven thousand six hundred twenty dollars is hereby appropriated, in addition to any other sum or sums otherwise appropriated for such purposes, for the support of the supreme court for the seventy-ninth and eightieth fiscal years.

SEC. 6. Sections 739, 751½, 769, 770, 2313, 2314, 2315 and 2316 of the Political Code, and sections 265, 266 and 268 of the Code of Civil Procedure are hereby repealed.

### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 949—An act to amend an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to describe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and

ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909, as amended, relating to the creation and powers of the county board of forestry.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 157—An act to add a new section to be numbered 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the making of reassessments.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Strike out line 2 of the title of the printed bill, as amended, and insert in lieu thereof the following: "add two new sections to be numbered 24 and 38, to an act".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 14, line 7, of the printed bill, as amended, following the word "frequently," strike out the following: "At the time fixed for said hearing, or at such time less frequently."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 158—An act to amend sections 4 and 5 of an act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 943—An act to amend section 2656 of the Political Code, relating to the division of district funds, upon the incorporation of municipalities, or annexation to municipalities.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 974—An act to amend section 1 of an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude territory therefrom," relative to record of exclusion.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 975—An act to amend sections 4 and 10 of an act entitled "An act to provide for the alteration of the boundaries of and

for the annexation of territory to municipal corporations for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relative to municipal annexation procedure and the apportionment of road funds in connection therewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 993—An act to amend section 42 of the act known as the Improvement Act of 1911, approved April 7, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 633—An act to amend section 452a of the Civil Code, relating to the incorporation of mutual benefit associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1095—An act to recognize and declare valid all proceedings in the organization, formation and enlargement of Nevada Irrigation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 257—An act to amend sections 1457, 1570 and 1061 of the Penal Code of the State of California, relating to disposition of fines.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 318—An act to amend section 1457 of the Penal Code, relating to the disposition of fine.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 319—An act to amend section 1570 of the Penal Code, relating to the disposition of fine.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 553—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 598—An act to add a new section, to be numbered 383a, to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher," and providing penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 647—An act to amend section 384 of the Penal Code, relating to the prevention and control of fires.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 938—An act to add a new section to the Code of Civil Procedure, to be numbered 1274b, relating to unclaimed moneys of missing persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 498—An act to amend section 1 of an act entitled "An act to prevent the importation into the State of California of



horses, mules, dairy cattle, breeding bulls, goats, breeding bucks and sheep, which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this act," and repealing an act approved June 4, 1913, entitled "An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules, and asses affected with glanders into the State of California,' approved March 7, 1911;" and repealing an act entitled "An act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this act, and repealing an act approved June 4, 1913, entitled 'An act to prevent the importation into the State of California of horses, mules, asses or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled "An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an act entitled "An act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911," approved April 12, 1915, as amended, relating to health certificate and fee therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 403—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution, so as to give wage claimants the right to levy execution on one-half of the wages due a judgment debtor.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, strike out the period after the word "business", and insert in lieu thereof a semicolon.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 4, line 6, of the printed bill, strike out the word "premium", and insert in lieu thereof the word "premiums".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 4, line 9, of the printed bill, strike out the word "moneys", and insert in lieu thereof the word "money".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 460—An act to amend sections 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289 and 1290 of the Code of Civil Procedure, and to add four new sections to said code, to be numbered 1280, 1291, 1292 and 1293, relating to arbitration and awards.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered.

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the amended printed bill, after the word "thereof" add a comma.

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

On page 3, line 25, of the amended printed bill, after the period, add the following: "Except in contracts that fall within the scope of the United States arbitration act of 1925, any arbitration had under authority of an arbitration clause in any contract, shall be held within the State of California, unless all parties to such contract, after the controversy arises, agree in writing that the arbitration be held elsewhere."

**Amendment adopted.**

## AMENDMENT NUMBER THREE.

On page 4, line 5, of the amended printed bill, after the word "within", strike out the word "six", and insert in lieu thereof the word "three".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 838—An act to amend an act entitled "An act approving the report of the California Debris Commission, transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a reclamation board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

On motion of Senator Rush, Senate Bill No. 838 was passed on file.

Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 430 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a and 11 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations



thereto and withdrawals therefrom and the satisfaction of the obligations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 687 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 233 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 382 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Cobb:

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:  
An act to amend section 307 of the Civil Code, relating to corporations.

Request referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT, Your Committee on Rules, to which was referred the request of Senator Cobb to introduce a bill entitled—An act to amend section 307 of the Civil

Code, relating to corporations—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

(Signed out)

NELSON, Vice Chairman.  
CROWLEY.  
FELLOM.  
RUSH.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Gray to introduce a bill entitled—An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

(Signed out)

NELSON, Vice Chairman.  
CROWLEY.  
FELLOM.  
RUSH.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Gray: Senate Bill No. 876—An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Cobb: Senate Bill No. 877—An act to amend section 307 of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts

and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1916, as amended, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 635 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works.

On motion of Senator Nelson, Senate Bill No. 823 was passed on file.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

On motion of Senator McKinley, Senate Constitutional Amendment No. 5 was passed on file.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

On motion of Senator Boggs, Senate Bill No. 237 was passed on file.

Senate Bill No. 358—An act to amend section 41 of the California Irrigation District Act, approved March 31, 1897, relating to notice that assessments are due and penalties for delinquency.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 358 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 503 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 727—An act to amend section 453hh of the Civil Code, relating to land value insurance corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 727 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 261—An act to amend section 629a of the Political Code, relating to group life insurance and valuation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 261 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 739—An act to add a new section to the Civil Code to be numbered 452b, relating to mutual benefit and life insurance associations, and providing that such associations shall not pay or agree to pay any remuneration for solicitation of membership applications until they have complied with section 609 of the Political Code, and shall have procured a certificate of authority from the Insurance Commissioner, and shall have complied with all of the laws of this State applicable to such associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 739 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Senate Bill No. 298 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "year", insert the words "at such time as the board of supervisors may direct."

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, after the word "the", strike out the words "then current fiscal year", and insert in lieu thereof the words "fiscal year which the budget is intended to cover".

AMENDMENT NUMBER THREE.

On page 2, line 2, of the printed bill, after the word "state", strike out the word "controller", and insert in lieu thereof the words "board of control".

AMENDMENT NUMBER FOUR.

On page 2, line 41, of the printed bill, after the word "recipient", strike out the period and insert in lieu thereof a comma, and the words "provided, and except that in counties empowered by charter to increase or decrease the number of deputies and assistants in any office an unitemized appropriation may be made to cover the expenses of such deputies and assistants."

AMENDMENT NUMBER FIVE.

On page 4, line 13, of the printed bill, after the word "questioning", strike out the words "either by the taxpayer or by the board".

AMENDMENT NUMBER SIX.

On page 4, line 10, of the printed bill, after the word "shall", strike out the words "then proceed to", and insert in lieu thereof the words "not later than the first of September".

AMENDMENT NUMBER SEVEN.

On page 4, line 40, of the printed bill, after the word "the", strike out the words "state board of equalization", and insert in lieu thereof the words "state board of control".

AMENDMENT NUMBER EIGHT.

On page 4, line 41, of the printed bill, after the word "expenditure", strike out the words "itemized and".

AMENDMENT NUMBER NINE.

On page 4, line 43, of the printed bill, strike out the words "in detail".

AMENDMENT NUMBER TEN.

On page 4, line 47, of the printed bill, after the word "such", strike out the word "detailed".

AMENDMENT NUMBER ELEVEN.

On page 5, line 11, of the printed bill, after the word "the", strike out the word "detailed".

AMENDMENT NUMBER TWELVE.

On page 4, line 18, of the printed bill, after the word "said", strike out the word "detailed".

AMENDMENT NUMBER THIRTEEN.

On page 6, line 22, of the printed bill, after the word "year", strike out the comma and the words "and said board", and all of lines 23 to 28, inclusive, and insert in lieu thereof a period.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 40, of the printed bill, after the word "month", insert the words "or such other date in any month as the board of supervisors may direct."

AMENDMENT NUMBER FIFTEEN.

On page 6, line 46, of the printed bill, strike out the word "controller", and insert in lieu thereof the words "board of control."

. Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 298, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Boggs adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 158—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 158 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## SENATE CONCURRENT RESOLUTION No. 15.

Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California.

WHEREAS, The present State prisons located at San Quentin and at Folsom are insufficient in size and inadequate in equipment to properly care for the large influx of prisoners; and

WHEREAS, Said influx of prisoners is annually increasing; and

WHEREAS, The transportation of such prisoners sentenced from the southern counties of this State to and from said prisons is a difficult and hazardous task; and

WHEREAS, The transportation of prisoners sentenced from the southern counties of this State is expensive and imposes an undue burden upon the taxpayers of this State, therefore be it

*Resolved by the Senate, the Assembly concurring,* That the Speaker of the Assembly shall appoint three members and the President of the Senate shall appoint two members, who shall act as a committee of the Legislature to investigate the matters contained in this resolution and the advisability of locating a prison in the southern counties of this State and the best available location therefor, and the estimated cost thereof and to report their findings in full to the forty-seventh session of the Legislature; and be it further

*Resolved,* That the expenses incurred in such investigation, not to exceed the sum of five hundred dollars shall be paid equally by the Assembly and Senate out of their respective contingent funds.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 15 adopted by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 15 ordered transmitted to the Assembly.



Senate Bill No. 717—An act to amend section 1618a of the Political Code, relating to health supervision.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 717 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATE CONSTITUTIONAL AMENDMENT No. 22.

A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations be amended.

*Be it resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California, at its forty-seventh regular session commencing the third day of January, 1927, two-thirds of the members elected to each of the houses thereof voting in favor thereof, hereby proposes to the people of the State of California an amendment to the constitution of this State, viz: that section 7 of article XII of said constitution be so amended that said section shall read as follows:

Sec. 7. The Legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any quasi-public corporation now existing or which shall hereafter exist under the laws of this State. The term of existence of any corporation now or hereafter existing under the laws of this State, may be extended, at any time prior to the expiration of its corporate existence, for a period not exceeding fifty years from the date of such extension, by the vote or written consent of stockholders representing two-thirds of its capital stock or of two-thirds of the members thereof; *provided*, in the case of corporations engaged in public utility business, the written consent of the Railroad Commission or such governing body having jurisdiction over the issuance of securities of such corporations, is first obtained. A certificate of such vote or consent shall be signed and sworn to by the president and secretary, and by a majority of the directors or trustees of the corporation and filed and certified in the manner and upon payment of fees required by law for filing and certifying articles of incorporation, and thereupon the term of existence of the corporation shall be extended for the period specified in such certificate, and such corporation shall thereafter pay all annual or other fees required by law to be paid by such corporation. The extension of the term of existence of any corporation shall in no case be construed as extending the term of existence of any franchise held, owned or controlled by such corporation prior to the time of such extension.

*And be it further resolved by the Senate, the Assembly concurring.* That the Legislature of this State hereby submits said proposed amendment to the people of this State for adoption at the next ensuing general election, in the manner and after the publication provided for in the sections of the Political Code of the State of California then in force and effect relating to general elections and the submission and adoption of proposed constitutional amendments.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 22 adopted by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—29.

NOES—Senator Fellom—1.

Title read and approved.

Senate Constitutional Amendment No. 22 ordered transmitted to the Assembly.

Senate Bill No. 507—An act to amend section 2322.78 of the Political Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 507 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagv, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 449—An act to amend sections 4039 and 4076 of the Political Code, relating to claims against the county and records thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 449 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wagv, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 688—An act to amend section 204c of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties where there is a secretary of the judges of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 688 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagv, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 326 passed by the following vote:

AYES—Senators Boggs, Canepa, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 325—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds, and the payment thereof," approved June 13, 1913, as amended; by amending section 1 thereof and by adding two new sections, to be known as section 8½ and section 14½, to provide for the incurring of additional bonded indebtedness by waterworks districts and for adding new territory thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 325 passed by the following vote:

AYES—Senators Boggs, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 22—Relative to investigation by the Attorney General into the legality of Assembly Bill No. 1206, chapter LXV, of the 1925 session of the Legislature, and the contract entered into pursuant to said bill for the sale of the Folsom Reservoir site.

On motion of Senator Garrison, Senate Concurrent Resolution No. 22 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 13 of article I thereof, relating to jurisdiction of and divisions of supreme and appellate courts.

Constitutional amendment read.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the reading of Senate Constitutional Amendment No. 12, Senator Baker moved that the amendment be referred to Senator McKinley, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 2 of the printed amendment, following line 46, insert the following:

The Legislature may from time to time create and establish additional district courts of appeal and divisions thereof and fix the places at which the regular sessions thereof shall be held and may provide for the maintenance and operation thereof. For that purpose the Legislature may redivide the state into appellate districts, subject to the power of the supreme court to remove one or more counties from one appellate district to another as in this section provided.

Motion carried.



REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Constitutional Amendment No. 12, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Special Committee.

Report read, and on motion of Senator Baker adopted.

Senate Constitutional Amendment No. 12 ordered to print and re-engrossment.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 499—An act to authorize the repayment of money paid or collected by error or mistake or under an unconstitutional law. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 499 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, and Wagy—24.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senators Maloney and Murphy were, on motion of Senator Canepa, granted leave of absence for the remainder of this day.

Senator Crowley asked for and was granted leave of absence for the remainder of this day.

Senator Mueller was, on motion of Senator Garrison, granted leave of absence for this day.

Senate Bill No. 652—An act creating in the Division of Libraries a commission on California representation at the National Statuary Hall at Washington, D. C., and defining the powers and duties thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 652 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Sharkey Slater, Swing, Taylor, Tubbs, Wagy, and Weller—27.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 17.

Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall.

WHEREAS, The Congress of the United States of America has by statute enacted and declared as follows, to wit:

"The President is hereby authorized to invite each and all the states to provide and furnish statues, in marble or bronze, not exceeding two in number for each state, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military service, such as each state shall deem worthy of this national commemoration; and when so furnished the same shall be placed in the old hall of the House of Representatives in the capitol of the

United States, which is hereby set apart, or so much thereof as may be necessary, as National Statuary Hall, for the purpose herein indicated."

WHEREAS, The State of California has never designated the deceased persons whose statues shall be so provided and furnished by the State of California; now, therefore, be it

*Resolved, by the Senate and Assembly, jointly.* That the Legislature of the State of California hereby selects and designates Junipero Serra and Thomas Starr King as the two deceased persons who have been citizens of the State of California and illustrious for their historic renown or for distinguished civil or military service whose statues in marble or bronze shall be hereafter provided and furnished by the State of California to be placed in the National Statuary Hall, as so provided by act of Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 17 adopted by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Felton, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 17 ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 256—An act to amend section 330a of the Penal Code, and to add a new section thereto to be numbered 330b, relating to gambling devices—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 256—An act to amend section 330a of the Penal Code, relating to gambling devices.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Cobb moved to refer Senate Bill No. 256 to Senator Inman, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 30, 1927, strike out lines 1 and 2 of the title and insert in lieu thereof the following: "An act to add a new section to the Penal Code to".

#### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended March 30, 1927, strike out lines 1 and 2.

#### AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended March 30, 1927, strike out lines 19 to 51, both inclusive.

#### AMENDMENT NUMBER FOUR.

On page 3, line 1, of the printed bill, as amended March 30, 1927, strike out "Section 2", and insert in lieu thereof "Section 1".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 256, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Special Committee.

Report read, and on motion of Senator Cobb adopted.

Bill ordered to print and re-engrossment.

SENATOR NELSON IN THE CHAIR.

At twelve o'clock and thirty minutes p.m., Senator Nelson of the First District was called to the chair.

Senate Bill No. 825—An act to amend section 1313 of the Civil Code, relating to devises for charitable purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 825 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 834—An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 834 passed by the following vote:

AYES—Senators Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, McKinley, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to headlights.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 492 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Johnson, Jones, H. C. Jones, Ray; Kline, Lyon, McKinley, Nelson, Slater, Swing, Tubbs, Wag, and Weller—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 665—An act to provide for the regulation and supervision of, and to prevent fraud in, sales of fertilizer as the same is therein defined; to provide for license to engage in the business of selling or dealing in such fertilizer; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 665 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Handy, Ingram, Inman, Johnson, Jones, H. C. Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Wag, and Weller—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 916—An act to establish a State Curriculum Commission for the public schools of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 916 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C. Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### LEAVE OF ABSENCE.

Senator Gray was, on motion of Senator Swing, granted leave of absence for the remainder of this day.

Assembly Bill No. 544—An act to provide for the formation, management and dissolution of county police protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 544 to Senator Boggs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, as amended in the Senate March 30, 1927, strike out the word "publication", and insert in lieu thereof the word "publications".

## AMENDMENT NUMBER TWO.

On page 2, line 44, of the printed bill, as amended in the Senate March 30, 1927, strike out the words "town or village", and insert in lieu thereof the word "district".

## AMENDMENT NUMBER THREE.

On page 3, line 11, of the printed bill, as amended in the Senate March 30, 1927, strike out the word "said", following the word "within".

## AMENDMENT NUMBER FOUR.

On page 5, line 12, of the printed bill, as amended in the Senate March 30, 1927, strike out the word "auditors", and insert in lieu thereof the word "auditor".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 544, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 915—An act to amend section 1552 of the Political Code, relating to the expenses of the superintendent of schools and his assistants.

On motion of Senator Cobb, Assembly Bill No. 915 was passed on file.

Assembly Bill No. 536—An act to add a new section to the Political Code, to be numbered 1607*a*, relating to the powers and duties of boards of school trustees and city boards of education and authorizing such boards to establish, maintain and operate cafeterias in the schools under their jurisdiction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 536 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 549—An act to amend section 1662 of the Political Code, and to add a new section to the Political Code, to be numbered 1610*a*, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 549 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 113—An act to amend section 4239 of the Political Code, relating to salaries, fees and expenses of officers of counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 939—An act to amend section 4048 of the Political Code, relating to bids and prices on county supplies, printing and advertising.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 939 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Wagy, and Weller—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 287—An act to amend section 9a10 of an act entitled "An act to provide for the establishment and maintenance of county free librarires in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of act in conflict with this act," approved February 25, 1911, as amended, said section relating to salaries of county librarians in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 287 passed by the following vote:

AYES—Senators Boggs, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 178—An act to amend section 13 of the "State Medical Practice Act," approved June 2, 1913, as amended, relating to reciprocity certificates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 178 passed by the following vote:

AYES—Senators Baker, Boggs, Canepa, Cobb, Evans, Fellom, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 765—An act to amend the title and sections 5 and 17 of an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, and to add thereto five new sections, to be numbered 4½, 5½, 17½, 19½ and 23½, relating to the annexation of county sanitation districts of contiguous territory, the compensation of directors of such districts, the operation and maintenance of lateral and collecting sewers, the construction by such districts of sewers under the "Improvement Act of 1911," and the dissolution of such districts.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Weller moved to refer Assembly Bill No. 765 to Senator Taylor, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

That on page 5 of said printed bill, all of lines 5 to 51, inclusive, and on page 6 of said bill, all of lines 1 and 2 be stricken out.

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 765, with instructions to amend, respectfully reports the same back, amended as per instructions.

TAYLOR, Special Committee.

Report read, and on motion of Senator Weller adopted.

Bill ordered to print.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

#### ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 621—An act to amend sections 9 and 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also

to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody;

Also: Assembly Bill No. 638—An act to amend sections 4307 and 4022 of the Political Code, relating to counties;

Also: Assembly Bill No. 748—An act to amend section 795 of the Political Code, relating to the protest of a notary as evidence;

Also: Assembly Bill No. 806—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to the compensation and travel expenses of water masters and the payment thereof;

Also: Assembly Bill No. 844—An act to amend section 196 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons; and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salaries thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Assembly Bill No. 895—An act to amend section 1401 of the Civil Code, relating to the disposition of community property on the death of either spouse;

Also: Assembly Bill No. 900—An act to amend sections 137 and 140 of the Civil Code, relating to permanent support of wife or husband by the other, as the case may be.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 621 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 638 and 748 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 806 read first time, and referred to Committee on Conservation.

Assembly Bills Nos. 844, 895 and 900 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1067—An act to amend sections 1, 3, 4 and 8 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 26, 1921, as amended, relating to leases;

Also: Assembly Bill No. 1081—An act to amend section 2322.5 of the Political Code, relating to salaries of county horticultural commissioner, inspectors and clerks in counties of the fifth class;

Also: Assembly Bill No. 1091—An act to amend sections 23, 24, 25, 27, 61 and 62, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to foreclosure of liens;

Also: Assembly Bill No. 1167—An act to amend section 412 of the Penal Code, relating to bandages on the hands or arms of contestants in amateur boxing;

Also: Assembly Bill No. 1196—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also: Assembly Bill No. 1201—An act to amend section 6260 of the Penal Code, relating to the shooting of water fowl from scull-boats in fish and game district number two;

Also: Assembly Bill No. 1207—An act to add new sections to article IIc of chapter III of title I of part III of the Political Code to be numbered sections 362g, 362h and 362i of said code, creating a Division of Libraries in the Department of Education and providing for the administration thereof;

Also: Assembly Bill No. 1222—An act to provide for the creation of a board of parole commissioners for each county in this State for the parole of persons confined in city, county, or city and county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto and repealing all acts and parts of acts inconsistent herewith;

Also: Assembly Bill No. 1237—An act to amend section 1928 of the Political Code, relating to the Adjutant General.

ARTHUR A. OHNIMUS, Chief Clerk.  
BY EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 1067 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1081 read first time, and referred to Committee on County Government.

Assembly Bill No. 1091 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1167 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 1196 read first time, and referred to Committee on County Government.

Assembly Bill No. 1201 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1207 read first time, and referred to Committee on Education.

Assembly Bills Nos. 1222, and 1237 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 58—An act to add a new section to the Political Code, to be numbered 4049a, relative to publishing information by boards of supervisors;

Also: Assembly Bill No. 68—An act to amend section 1188 of the Political Code, relating to independent nominations;

Also: Assembly Bill No. 148—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class;

Also: Assembly Bill No. 197—An act to provide for the acquisition by the State Department of Finance, upon behalf of the State, by gift or other process, of the Donner Monument and lands contiguous thereto; and for the improvement of the same;

Also: Assembly Bill No. 447—An act to amend section 1858 of the Political Code, relating to the apportionment of school funds and to school attendance;

Also: Assembly Bill No. 475—An act to amend section 1926 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law, approved March 8, 1909, as amended by an act approved April 5, 1911,



and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fifth class;

Also: Assembly Bill No. 533—An act to amend section 1598 of the Code of Civil Procedure, relating to the giving of notice for hearing petitions to complete contracts for sale of real or personal property;

Also: Assembly Bill No. 565—An act to amend section 2322-41 of the Political Code, relating to the salaries of the horticultural commissioner, inspectors and clerks in counties of the forty-first class.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 58 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 68 read first time, and referred to Committee on Elections.

Assembly Bill No. 148 read first time, and referred to Committee on County Government.

Assembly Bill No. 197 read first time, and referred to Committee on Finance.

Assembly Bill No. 447 read first time, and referred to Committee on Education.

Assembly Bill No. 475 read first time, and referred to Committee on County Government.

Assembly Bill No. 533 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 565 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 29. An act to amend section 4256 of the Political Code, relating to the salaries, fees and compensation of county officers of the twenty-seventh class;

Also: Assembly Bill No. 201—An act to amend sections 1612 of the Political Code, relating to contracts by boards of school trustees and city boards of education.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Taylor:

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Request referred to Committee on Rules.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 562—An act to aid commerce and navigation by authorizing certain improvements in and about South Basin and South Basin Canal and as a means thereof creating a reclamation district to be called and known as the "South Basin-South Basin Canal Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works of reclamation; granting to the city and county of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said South Basin-South Basin Canal Reclamation District;

Also: Senate Concurrent Resolution No. 16—Relative to the creation of a joint committee of the Senate and Assembly for the purpose of making a thorough study into the traffic situation on the highways of California, with particular reference as to the advisability of the adoption of a law requiring financial responsibility on the part of those owning or operating motor vehicles using the highways and making an appropriation therefor;

Also: Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to appointment of deputies;  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

# ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 854—An act to add two new sections to be numbered 2½ and 50½ to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

WAGY, Chairman.

Senate Bill No. 854 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1135—An act to amend section 57 and to repeal section 85 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the disposition of funds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

WAGY, Chairman.

Assembly Bill No. 1135 ordered on file for second reading.

# ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 822—An act to provide for the creation of a commission for the study of the problem of public education beyond the high school grade in California—has had the same under consideration, and respectfully reports the same back with amend-

ments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bill No. 822 ordered on file for second reading.

#### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in, and when and how it may be withdrawn—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bill No. 21 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 614—An act to amend section 273h of the Penal Code, compelling persons convicted under sections 270, 270a, 270b, 271 or 271a of this code to work—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

BAKER, Chairman.

Assembly Bill No. 614 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 761—An act to amend section 640 of the Penal Code, relating to fraudulent connection with telegraph and telephone wires—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended, and be re-referred to Committee on Judiciary.

Committee membership—9; committee vote: Ayes—7; absent—2.

BAKER, Chairman.

Senate Bill No. 761 ordered on file for second reading.

#### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of \$10,000,000 for the acquisition of rights of way for railroad grade crossing separations on the roads within the primary road system of the State of California, and for the construction of said railroad grade crossing separations by the California Highway Commission—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and it be re-referred to this committee.

(Signed out)

NELSON, Chairman.  
CHAMBERLIN.  
FELLOM.  
JOHNSON.  
JONES, H. C.  
LYON.  
SWING.  
WEST.

Senate Constitutional Amendment No. 18 ordered on file.

#### ADJOURNMENT.

At one o'clock and fifteen minutes p.m., on motion of Senator Evans, the presiding Senator declared the Senate adjourned until eleven o'clock a.m., Monday, April 4, 1927.



IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, April 4, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 1, 1927, the further reading was dispensed with, on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Allen, N. M., was, on motion of Senator Wagy, granted leave of absence for this day.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. W. R. Dickinson of Los Angeles, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Former Senator Hon. S. C. Evans of Riverside, California.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. R. V. Baker, Mrs. R. V. Baker, Dr. Dean Crowel, Mrs. Dean Crowel and Dr. H. P. Noltage of Albany, Oregon.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Warren Bovard of Los Angeles, California, Vice-President of the University of Southern California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Senator E. K. Strowbridge, Mrs. E. K. Strowbridge and Miss Capaur of Alameda County.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Joe Doll, member of Winters Post of the American Legion.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. L. Matthews, editor Covina Argus, and Mrs. J. L. Matthews of Covina, California.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Ray Kekall and Miss Agnes Durant of Burlingame, California.

On request of Senator Canepa, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Jack Huston, grand chef de guerre of the Forty and Eight of California and editor of The Legion News, official paper of the American Legion of California.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1927

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 110—An act to add a new section to be numbered 4a and to amend the title and sections 1, 8 and 9 of an act entitled "An act to provide for the regulation, control and licensing of any person, firm or corporation engaging in the business of milling, sampling, concentrating, reducing, purchasing, or receiving for sale ores, concentrates, or amalgams, bearing gold or silver, gold dust, silver or gold bullion, nuggets or specimens; to provide rules and regulations therefor; and to provide penalties for the violation of the provisions of this act," approved April 15, 1925, relating to licenses and reports:

Also: Assembly Bill No. 240—An act to amend the title and to amend sections 1, 2, 3, 5, 6, 9, 11, 16, 23a and 24 of an act entitled "An act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie; providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof," approved May 18, 1919, as amended, and to add to said act a section, to be numbered 24b, relating to reassessments:

Also: Assembly Bill No. 843—An act to amend section 1163 of the Code of Civil Procedure, relating to jurisdiction of superior courts and justices' courts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 128—An act to establish a State park to be known as "Burney Falls State Park" at Burney Falls, near the town of Burney, Shasta County, California, and providing for the control of said park, and for the construction, maintenance and operation of buildings and improvements thereon and for the conduct and management thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 128 read first time, and referred to Committee on Conservation.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 189—An act to add a new section to an act entitled "An act to define trust and to provide for criminal penalties and civil damages, and punishment of corporations, persons, firms, and associations, or persons connected with them, and to promote free competition in commerce and all classes of business in this State," approved March 23, 1907, to be numbered section 14, relating to trusts and combinations in restraint of trade or commerce;

Also: Senate Bill No. 288—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property;

Also: Senate Bill No. 645—An act to amend sections 1, 2, 3, 4, 8 and 9 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to the method of recordation of maps, providing additional conditions

on which maps may be recorded, and providing civil and criminal liabilities for the violation thereof;

Also: Senate Bill No. 810—An act to amend section 323 of the Political Code, relating to time when statutes take effect;

Also: Senate Bill No. 868—An act to amend section 309½ of the Civil Code, relating to the authorization of the distribution of the capital stock or capital assets of a corporation among its stockholders, or any of them, and the procedure therefor;

Also: Senate Joint Resolution No. 11—Relating to securing the aid of the United States government in establishing a basis for execution of the coordinated plan for development of the water resources of California;

Also: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 11 of article VI thereof, relating to municipal courts;

Also: Senate Bill No. 864—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Senate Bill No. 474—An act to amend section 602 of the Penal Code, relating to trespass;

Also: Senate Bill No. 867—An act to amend section 1033 of the Code of Civil Procedure, relating to costs;

Also: Senate Bill No. 700—An act to amend section 1663 of the Code of Civil Procedure, relating to the partial distribution of estates of deceased persons;

Also: Senate Bill No. 89—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof within, municipal corporation;

Also: Senate Bill No. 726—An act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judges;

Also: Senate Bill No. 832—An act to amend section 1313 of the Civil Code, relating to restrictions on devises for charitable uses;

Also: Senate Bill No. 765—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relative to the filing by contractors and others of bonds or certified checks;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 12—An act to amend section 487 of the Penal Code, relating to grand larceny—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

BAKER, Chairman.

Senate Bill No. 12 ordered on file for second reading.

RECESS.

At eleven o'clock and twelve minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of eleven o'clock and twenty minutes a.m., for the purpose of hearing remarks offered by former Senator S. C. Evans of Riverside, California.



## RECONVENED.

At eleven o'clock and twenty minutes a.m., the Senate reconvened. Lieutenant Governor Buron R. Pitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## RESOLUTIONS.

The following resolutions were offered:

By Senator Crowley:

*Resolved*, That the following named person be stricken from the list of Senate attaches, and his name be stricken from the pay roll of the Senate to take effect as of Saturday, April 2d:

Fred Cairns, Assistant Secretary-----\$7 00 per day

Resolution read, and on motion of Senator Crowley adopted.

Also:

*Resolved*, That the following named person be stricken from the list of Senate attaches and her name be stricken from the payroll of the Senate:

Gertrude Emerick, Stenographer-----\$5 00 per day

## REFERENCE OF RESOLUTION.

Senator Hurley moved, duly seconded by Senator Christian, that the foregoing resolution offered by Senator Crowley striking the name of Gertrude Emerick from the list of Senate attaches be referred to Committee on Attaches.

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Hurley, West and Christian upon the motion to refer the resolution offered by Senator Crowley striking the name of Gertrude Emerick from the list of Senate attaches to Committee on Attaches. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer the resolution to Committee on Attaches carried by the following vote:

AYES—Senators Allen J. M., Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Hurley, Jones, Ray; Kline, Mueller, Rush, Sharkey, Slater, Taylor, Wagye, Weller, and West—18.

NOES—Senators Baker, Boggs, Breed, Crowley, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Maloney, McKinley, Murphy, and Tubbs—14.

Senator Crowley's resolution ordered referred to Committee on Attaches.

## CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 33—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 35—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State, and prescribing punishment for the violation of the provisions hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, strike out the word "two", also the word "thousand" in line 17, and insert in lieu thereof the words "five hundred".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out the word "of", and insert in lieu thereof the word "for".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 17, of the printed bill, strike out the word "more", following the word "not".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, strike out the words "one year", and insert in lieu thereof the words "six months".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in application therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, strike out the word "engagement" and insert in lieu thereof the following: "engagements for persons seeking employment or engagements, or for the registration of persons seeking such help, employment or engagement,".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 5, line 11, of the printed bill, insert after the word "designated" the words "in such application".

## Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 542—An act to amend an act entitled "An act to provide for the creation of board of parole commissioners for each county in this State and for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors, whether in county jails or in city prisons, by amending said act so as to provide that in cities where a municipal court has been established, the board of parole commissioners for such municipal court shall consist of the presiding judge of said court, the chief of police and the prosecuting attorney of such city.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 851—An act to validate the organization and existence of county water districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 870—An act to amend section 2484 of the Political Code, relating to the salaries of county officers of counties in the fifty-fifth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 854—An act to add two new sections to be numbered 24 and 50½ to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 822—An act to provide for the creation of a commission for the study of the problem of public education beyond the high school grade in California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1, lines 2 and 3, of the title of the printed bill, strike out the words "high school", and insert in lieu thereof the word "elementary".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the title of the printed bill, strike out the period, and insert in lieu thereof a comma, and add the following : "and providing an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, beginning with line 1, strike out all the matter on page 1 and all the matter on page 2, and insert in lieu thereof the following :

SECTION 1. The state department of education is hereby directed to investigate the educational, geographical, financial and organizational problems of public education in California beyond the grade of elementary education, and to report to the governor for submission to the forty-eighth session of the Legislature its findings and recommendations.

SEC. 2. The superintendent of public instruction is hereby authorized to employ such temporary, expert and clerical assistance as may be necessary, to fix the compensation for the persons so employed, with the approval of the state board of control, and to sign claims upon the treasury for the payment of the expenses incurred in making said study, which claims shall be audited by the state board of control and paid upon warrant drawn by the state controller as provided by law.

SEC. 3. Out of any funds in the state treasury not otherwise appropriated the sum of five thousand dollars is hereby appropriated for the expenses of the study authorized by the provisions of this act.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in, and when and how it may be withdrawn.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 761—An act to amend section 640 of the Penal Code, relating to fraudulent connection with telegraph and telephone wires.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in lines 1 to 3 of the title, strike out the following : "six hundred forty of the Penal Code relating to fraudulent connection with telegraph and telephone wires", and insert in lieu thereof the following : "forty-seven of the Civil Code relating to privilege publications".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

SECTION 1. Section 47 of the Civil Code is hereby amended to read as follows:

47. Privileged Publication, is What. A privileged publication is one made—

1. In the proper discharge of an official duty.

2. In any (1) legislative or (2) judicial proceeding, or (3) in any other official proceeding authorized by law; *provided*, that an allegation or averment contained in any pleading or affidavit filed in an action for divorce, or an action prosecuted under section 137 of this code made of or concerning a person by or against whom no affirmative relief is prayed in such action, shall not be a privileged publication within the meaning of this section unless such pleading be verified or affidavit sworn to, and be made without malice, by one having reasonable and probable cause for believing the truth of such allegation or averment and unless such allegation or averment be material and relevant to the issues in such action.

3. In a communication, without malice, to a person interested therein, (1) by one who is also interested, or (2) by one who stands in such relation to the person interested as to afford a reasonable ground for supposing the motive for the communication innocent, or (3) who is requested by the person interested to give the information.

4. By a fair and true report, without malice, in a public journal, of (1) a judicial, (2) legislative, or (3) other public official proceeding, or (4) of anything said in the course thereof, or (5) of a verified charge or complaint made by any person to a public official, upon which complaint a warrant shall have been issued.

5. By a fair and true report, without malice, of (1) the proceedings of a public meeting, if such meeting was lawfully convened for a lawful purpose and open to the public, or (2) the publication of the matter complained of was for the public benefit.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of \$25,000,000 for the acquisition of rights of way for bridges and railroad crossings on the roads within the primary road system of the State of California, and for the construction of said bridges and railroad crossings by the California Highway Commission.

## COMMITTEE AMENDMENTS.

During the reading of Senate Constitutional Amendment No. 18, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, as amended March 21, 1927, strike out the word "crossing".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In lines 8 and 9 of the title of the printed bill, as amended March 21, 1927, strike out the following: "primary road", and insert in lieu thereof the following: "state highway".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In line 11 of the title of the printed bill, as amended March 21, 1927, strike out the word "crossing".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended March 21, 1927, strike out lines 7 to 26, both inclusive, and insert in lieu thereof the following:

There is hereby created in and for the state treasury, a fund to be known and designated as the "state railroad grade separations fund", and immediately after the sale of bonds the treasurer of the state shall pay into the state treasury and cause to be placed in said fund the total amount received for said bonds, except such amount as may have been paid as accrued interest thereon. The amount that shall have been paid at such sale as accrued interest on the bonds shall be, by the treasurer of the state immediately after such sale, paid into the treasury of the state and placed in the "state railroad grade separations interest and sinking fund", which is hereby created.

Moneys shall be drawn from said state railroad grade separations fund for the purposes herein designated upon warrants duly drawn by the controller of the state upon demands made by the California highway commission and allowed and audited by the state board of control; provided, however, that out of the proceeds of the first sale of bonds made hereunder the state controller and the state treasurer shall transfer upon their respective books the sum of one hundred thousand dollars to the credit of the "state railroad grade separations revolving fund" which fund is hereby created in the state treasury.

The moneys in said state railroad grade separations revolving fund or such part thereof as the California highway commission shall deem necessary, may be expended from time to time upon the demands of the California highway commission, approved by the state board of control, for the purpose of making cash payments in advance for such expenditures as are necessary and proper to carry out the provisions of this section. Upon receipt of such demands, so approved, it shall be the duty of the state controller to draw his warrant upon said state railroad grade separations revolving fund in favor of the person, firm, corporation or association therein named, and the state treasurer shall pay the same. On or before the tenth day of each month thereafter, the California highway commission shall submit to the state board of control a verified, itemized statement, showing all expenditures during the preceding calendar month of the money so drawn from said state railroad separations revolving fund, accompanied by proper vouchers and receipts therefor. Said statements shall be audited by the state board of control in the same manner that claims against the state are audited, and if found to be correct shall be approved by the state board of control and transmitted to the state controller with such approval endorsed thereon. The state controller shall thereupon draw his warrant upon the state railroad grade separations fund in favor of the California highway commission for the aggregate amount of such expenditures, and upon the surrender of such warrant, properly endorsed, the state treasurer shall transfer the amount thereof upon the books of his office from the said state railroad grade separations fund to the said state railroad grade separations revolving fund to be expended as aforesaid.

There is hereby appropriated from the general fund of the state treasury, such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this section, as said principal and interest becomes due and payable.

There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum in addition to the ordinary revenues of the state as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

The treasurer of the state shall on the first day of January, 1929, and on the first day of each July and the first day of each January thereafter transfer from the general fund of the state treasury to the state railroad grade separations sinking fund such an amount of the moneys by this section appropriated as shall be required to pay the interest on the bonds sold hereunder, until the interest on all the said bonds so sold shall have been paid or shall become due in accordance with the provisions of this section.

There is hereby created in the state treasury a fund to be known and designated as the "state railroad grade separations sinking fund". The treasurer of the state shall on the third day of July, 1934, and on the third day of July of each and every year thereafter, in which a partial of the bonds sold pursuant to the provisions of this section shall become due, transfer from the general fund of the state treasury to the said state railroad grade separations sinking fund such an amount of moneys appropriated hereunder as may be required to pay the principal of the bonds so becoming due and payable in such years.

The principal of all of said bonds sold shall be paid at the time the same becomes due from the state railroad grade separations sinking fund and the interest on all bonds sold shall be paid at the time said interest becomes due from the state railroad grade separations interest and sinking fund. Both principal and interest shall be so paid upon warrants duly drawn by the controller of the state upon demands audited by the state board of control and the faith of the State of California is hereby pledged for the payment of the principal of said bonds so sold and the interest accruing thereon.



For the purposes of this section, a railroad grade separation is defined to be any crossing and the approaches leading thereto and therefrom between a state highway and the tracks of any commercial interurban or other railway by whatsoever power operated.

### Amendment adopted.

#### AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill, as amended March 21, 1927, strike out the words "highway bridge", and insert in lieu thereof the words "railroad grade separation".

### Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 2, line 30, of the printed bill, as amended March 21, 1927, strike out the word "crossing".

### Amendment adopted.

#### AMENDMENT NUMBER SEVEN.

On page 2, line 3, of the printed bill, as amended March 21, 1927, strike out the comma and the word "and".

### Amendment adopted.

#### AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, as amended March 21, 1927, strike out lines 35 to 37, both inclusive, and insert in lieu thereof the following: "assigned to the state by order of and as apportioned by the state railroad commission".

### Amendment adopted.

#### AMENDMENT NUMBER NINE.

On page 2 of the printed bill, as amended March 21, 1927, strike out lines 41 to 52, both inclusive, and on page 3 of said bill, strike out lines 1 to 18, both inclusive.

### Amendment adopted.

#### AMENDMENT NUMBER TEN.

On page 3 of the printed bill, as amended March 21, 1927, strike out lines 22 to 29, both inclusive, and insert in lieu thereof the following: "board. The said bonds and the interest thereon shall be payable in gold coin of the United States of the present standard of value either at the office of the treasurer of said state or at the option of the holder at the fiscal agency for the State of California, in the city of New York, in the state of New York. The interest accruing on any of said bonds that may be sold shall be payable as herein provided on the third day of January and the third day of July of each and every year, after the sale of any of the said bonds. Said bonds shall mature at the times herein specified and the principal of said bonds shall be payable at either of the above designated places at such times. All bonds remaining unsold shall at the date of the maturity thereof be, by the treasurer of the state, canceled and destroyed. All bonds issued pursuant to the provisions of this act shall be signed by the governor of this state, countersigned by the state controller and endorsed by the state treasurer, and the said bonds shall be so signed, countersigned and endorsed by the officers who are in office on the date of the issuance of any parcel of bonds hereunder and each of said bonds shall have the great seal of the State of California impressed thereon. The said bonds signed, countersigned, endorsed and sealed as herein provided when sold shall constitute a valid and binding obligation upon the State of California, though the sale thereof be made at the date or dates after the person so signing, countersigning and endorsing, or either of them, shall have ceased to be the incumbents of said office or offices.

Appended to each of said bonds there shall be interest coupons so attached that the same may be detached without injury to or mutilation of said bond. The said coupons shall be consecutively numbered and shall bear the lithographed signature of the state treasurer who shall be in office on the third day of July, 1929. No interest shall be paid on any of said bonds for such time as may intervene between the date of said bond and the date of sale thereof, unless such accrued interest shall have been by the purchaser of said bond paid to the state at the time of such sale.

There is hereby appropriated from the general fund of the state treasury such sum annually as will be necessary to defray all expenses that shall be incurred by the state treasurer in the preparation of said bonds and in the advertising of the sale thereof, as in this section provided. When the bonds authorized by this section to be issued shall have been signed, countersigned, endorsed and sealed as provided herein the state treasurer shall sell the same in such parcels and numbers not incor-

sistent with the provisions hereof as the governor of the state shall direct to the highest bidder for cash. The governor of the state shall issue to the state treasurer such direction immediately after being requested so to do by the California highway commission. Such request shall specify the amount of money which in the judgment of said commission shall be required at such time and the governor of the state shall direct the state treasurer to sell such number of said bonds as may be required to raise said amount of money and that said bonds shall be sold in consecutive numerical order. The state treasurer shall not accept any bid which is less than the par value of the bond plus the interest which has accrued thereon between the date of sale and the last preceding interest maturity date. The state treasurer may at the time and place fixed by him for said sale continue such sale as to the whole or any part of the bonds offered to such time and place as he may at the time of such continuance designate. Before offering any of said bonds for sale, the said treasurer shall detach therefrom all coupons which have matured or will mature before the date fixed for such sale. The state treasurer shall give notice of the time and place of sale by publication in two newspapers published in the city and county of San Francisco and in one newspaper published in the city of Oakland, and in one newspaper published in the city of Los Angeles and in one newspaper published in the city of Sacramento once a week for four weeks next preceding the date fixed for such sale. In addition to the notice last above provided for, the state treasurer may give such further notice as he may deem advisable, but the expenses and cost of such additional notice shall not exceed the sum of five hundred dollars for each sale so advertised.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 39, of the printed bill, as amended March 21, 1927, strike out the following: "all duties required" and strike out all of lines 40 to 42, both inclusive.

Amendment adopted.

Senate Constitutional Amendment No. 18 read, ordered to print, and re-referred to Committee on Revenue and Taxation.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 801—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident (or on account of fire).

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 236—An act to amend section 1362 of the Political Code, relating to the counting and disposition of absentee ballots.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 239—An act to amend an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," by amending sections 1 and 4 thereof, and by adding thereto a new section to be numbered 6, relating to special precincts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 242—An act to add a new section to the Political Code to be numbered 1266a, relating to the establishment of election return centers and the reporting of certain election returns.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 811—An act to amend sections 1113 and 1115, Political Code, relating to the preparation of registration books.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 86—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of the polls.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 180.—An act to amend sections 1 and 2 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same, and providing penalties therefor," approved March 20, 1903, as amended, by reducing the criminal penalty and adding a civil penalty for violation thereof, and by making its provisions apply to misrepresentations regarding the existence of work and the length of time such work will last.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 870.—An act to amend sections 3 and 6 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended, and to add a new section thereto, to be numbered 11a.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 263.—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 15.—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works, by requiring contractors, or their agents, to file with the officer, board or commission awarding the contract a verified report as to the nature of any extraordinary emergency when their employees are permitted to work over eight hours per day, together with the names of the said employees and the hours worked per day, making failure to file said report within thirty days conclusive proof that no extraordinary emergency existed, also making it a misdemeanor for any contractor or subcontractor on public work, or agent thereof, to violate any of the provisions of the said section.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, strike out the word "representatives", and insert in lieu thereof the word "representative".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.



Assembly Bill No. 216—An act to amend section 4 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employment, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the posting of notices with reference to the time of payment of wages, the place where wages shall be paid, manner of payment, payment in case of strikes and penalties for violations thereof, so as to make the civil penalty for failing to pay the wages of workers monthly or semimonthly entirely independent of the criminal penalty, to provide for the bringing of the civil actions for the said penalties by the said commissioner in the name of "the people of the State of California," delegating to the said commissioner and his attorneys the authority to so proceed and to provide for the consolidation of several causes of action for the said penalties without separately stating them, also for the payment of such penalties without suit.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, strike out the word "employment", and insert in lieu thereof the word "employments".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 24, of the title of the printed bill, strike out the word "semi-annually", and insert in lieu thereof the word "semimonthly".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, strike out the word "employment", and insert in lieu thereof the word "employments".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, strike out the word "place", and insert in lieu thereof the word "places".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 50, of the printed bill, strike out the word "all", and insert in lieu thereof "each of his or".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 50, of the printed bill, strike out the comma after the word "employees".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 592—An act to amend an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of this act," approved March 24, 1903, as amended, relating to the disability of children.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 908—An act to amend section 1687 of the Political Code, relating to the salaries of teachers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 819—An act to add three new sections to the Political Code, to be numbered 1780, 1620*a* and 1543*c*, providing for the cooperative purchase of standard school supplies and equipment by school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 571—An act to amend section 1771 of the Political Code, relating to the suspension or revocation of teachers' certificates.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 769—An act to amend sections 1510, 1511*b* and 1514 of the Penal Code, relating to the powers and duties of coroners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 942—An act to add a new section to the Political Code, to be numbered 4082, relating to lost or destroyed county warrants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 944—An act to amend section 4197 of the Political Code, relating to annual report of law library.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 837—An act to amend section 1764*c* of the Political Code, relating to special classes in day and evening schools.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2, line 29, of the printed bill, following the word "that", strike out the remainder of the bill and insert in lieu thereof the following: "permission for the employment of such lecturer shall be previously obtained from the commission of credentials of the state department of education; and provided, further, that such lecturer can not be employed in any school for more than four lectures each term."

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 866—An act to amend section 2322*c* of the Political Code, relating to county horticultural commissioners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of twenty-fifth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4 of the printed bill, as amended March 14, 1927, strike out the semicolon and the words "said deputy to be employed", in line 26; also strike out all of lines 27 and 28 and the words "visors may fix by resolution", in line 29 of said page, and insert in lieu thereof a comma and the following: "said deputy to receive a salary of fifteen hundred dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1927, and thereafter a salary of fifteen hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended March 14, 1927, in line 21, strike out the words "The population"; also strike out lines 22 to 26, inclusive, on said page, and insert in lieu thereof the following: "Justices of the".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, as amended March 14, 1927, between lines 22 and 23 on said page, insert the following:

20. The surveyor shall receive the sum of four thousand dollars (\$4,000.00) for the period beginning with the date upon which this act becomes effective and ending December 31, 1927, and thereafter a salary of four thousand dollars (\$4,000.00) per annum, for all work performed for the county, and in addition thereto he shall receive his actual traveling and other necessary expenses incurred by him while engaged in work for the county; said salary shall be paid in the manner and out of the same fund as the salaries of county officers are paid.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 559—An act to amend section 4269 of the Political Code, relating to salaries, fees and expenses of county officers of counties of the fortieth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "thousand", strike out the word "eight", and in lieu thereof insert the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, strike out the word "twelve", and insert in lieu thereof the word "eighteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 30, of the printed bill, strike out the word "eight" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out lines 30 to 50, inclusive, and insert in lieu thereof the following:

In Marysville township the justice of the peace shall receive a monthly salary of one hundred fifty dollars per month, and the constable of Marysville township shall receive a monthly salary of one hundred dollars per month.



The above salary shall be in full compensation of said justice of the peace and said constable in criminal cases: *provided*, that in addition to the salary herein allowed, said constable shall be paid out of the treasury of the county, his actual traveling expenses when engaged in the service of a warrant of arrest or any other paper in a criminal case.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, strike out lines 1 to 13, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1135—An act to amend section 57 and to repeal section 85 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the disposition of funds.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, insert a comma after the word "fix", and add the following words: "with the approval of the department of finance."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 614—An act to amend section 273*h* of the Penal Code, compelling persons convicted under sections 270, 270*a*, 270*b*, 271 and 271*a* of this code to work.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Senate Bill No. 666 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 43, of the printed bill, strike out the word "fifty", and insert in lieu thereof the word "forty".

AMENDMENT NUMBER TWO.

On page 4, line 43, of the printed bill, strike out the figures "50" within the parenthesis, and insert in lieu thereof the figures "40".

## AMENDMENT NUMBER THREE.

On page 4, line 49, of the printed bill, strike out the words "one hundred", and insert in lieu thereof the word "forty".

## AMENDMENT NUMBER FOUR.

On page 4, line 49, of the printed bill, strike out the figures "100", and insert in lieu thereof the figures "40".

**Motion carried.**

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 666, with instructions to amend, respectfully reports the same back, amended as per instructions.

**CHRISTIAN, Special Committee.**

Report read, and on motion of Senator Hurley adopted.

Bill ordered to print and re-engrossment.

## ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; pro-

viding a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

On motion of Senator Baker, Senate Bill No. 610 was passed on file.

Senate Bill No. 345—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 345 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Taylor, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

On motion of Senator Crowley, Senate Bill No. 315 was passed on file.

Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official plans and to appoint planning boards; describing the powers and duties of said planning boards; providing for the approval of plats; and providing that building permits shall conform to official plans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 585 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, and Taylor—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 540—An act to control and regulate the possession, sale and use of machine guns; providing for the registration of sales of machine guns; prohibiting the possession and use of machine guns, except by lawfully authorized persons, and to provide for their confiscation and destruction in certain cases; prohibiting the ownership, use or possession of machine guns by certain classes of persons; authorizing the granting of licenses to possess or carry machine guns; to provide for the licensing of retail dealers of such weapons.

Bill read third time.

The question being on the passage of the bill,



The roll was called, and Senate Bill No. 540 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 88—An act to amend section 1094 of the Political Code, relating to registration of electors.

On motion of Senator Jones, H. C., Senate Bill No. 88 was passed on file.

Senate Concurrent Resolution No. 22—Relative to investigation by the Attorney General into the legality of Assembly Bill No. 1206, chapter LXV, of the 1925 session of the Legislature, and the contract entered into pursuant to said bill for the sale of the Folsom reservoir site.

On motion of Senator Garrison, Senate Concurrent Resolution No. 22 was passed on file.

Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estates to nonresident persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Chamberlin, Christian, Evans, Fellom, Garrison, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, and Tubbs—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 336—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony, to the Pomona-La Verne-Claremont Sewer District, for the purpose of a right of way for sewer pipes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 336 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## WITHDRAWAL OF COMPANION BILL.

Senator Boggs asked for and was granted unanimous consent to withdraw from the file Senate Concurrent Resolution No. 16, it being identical with Assembly Concurrent Resolution No. 16, now before the Senate.

Senate Concurrent Resolution No. 16 ordered withdrawn and stricken from the file.

## SENATE JOINT RESOLUTION No. 11.

Relating to securing the aid of the United States government in establishing a basis for execution of the coordinated plan for development of the water resources of California.

WHEREAS, The joint legislative committee of the forty-seventh session of the Legislature, under Assembly Concurrent Resolution No. 16, has submitted its report; and,

WHEREAS, During its deliberation said committee fully realized that certain features of the coordinated plan for the development of the water resources of California, as outlined in Bulletin No. 12 of the State Engineer, involved matters coming within the jurisdiction and concern of the federal government; and,

WHEREAS, Governor Young, in his inaugural address, recognized the paramount importance of some comprehensive plan for the conservation and development of the water resources of California in the following words:

"The solution of this problem can no longer be left to haphazard and unrelated development. There is no doubt that it is high time to seek some comprehensive plan which will meet the needs of both our great central valleys. The water which falls so bountifully during our winters, and which now wastes itself in bay and ocean, if properly stored and controlled and placed upon the land, would be sufficient to water every irrigable foot of this vast area, beside practically eliminating all future danger from winter floods.

This enterprise, however, is so vast that it can be financed by no one agency alone. The farmer whose lands are benefited can not meet the expense, as he largely does in the case of minor irrigation projects. The county whose cities are dependent upon local agricultural prosperity must also do its share. The State must take the leadership in coordinating and planning the whole. The federal government possibly must be asked to advance the money for the initial construction, just as is proposed in the Boulder Canyon Project." ; now therefore, be it

*Resolved by the Senate and the Assembly, jointly.* That this Legislature commend to the Governor that he communicate with the President of the United States and invoke the cooperation and aid of the federal government in establishing a basis for the execution of the coordinated plan for development of the water resources of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 adopted by the following vote:

AYES—Senators Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 11 ordered transmitted to the Assembly.

Senate Bill No. 659—An act providing for the exchange of certain lands of the State, situate in a national park, and for the management and control of the lands acquired in exchange.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 659 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson,

Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, and Weller—32.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 288—An act to amend section 3649 of the Political Code, relating to the assessment of escaped property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 288 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

#### EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

April 4, 1927.

*To the Senate and the Assembly of the State of California.*

Decisions have just been rendered, one by the Supreme Court of California, and two by the United States Supreme Court, which threaten very grave consequences to our taxation system and to our State revenues unless the situation is once met by appropriate legislation.

By the first of these decisions corporations organized outside of this State are exempted from the payment of corporation license taxes. This not only entails a loss to the State of nearly half a million dollars per year, but also imposes a discrimination against our own domestic corporations. Manifestly this injustice to California corporations must not be permitted to continue.

The other decisions are even graver in their consequences, and, unless cared for by the Legislature, will mean a probable tax loss amounting to millions of dollars as well as serious confusion in our system of bank taxation. These decisions of the United States Supreme Court deal with cases arising in Wisconsin and Minnesota, and are based on the method of taxing so-called "intangible" property in those states. If applied to California, where similar laws prevail, they will wipe out practically all taxation on our national banks. This would not only be unfair to our State banks, which would still be taxed as at present, but would also unquestionably not be welcomed by the national banks themselves, which have never evidenced any desire to escape their fair share of the tax burden.

Fortunately, these decisions have been handed down while this Legislature is still in session, and the State can therefore be saved from the major part of the danger with which it is threatened. The State Board of Equalization, State Controller, Board of Control, and Attorney General have been busily engaged in working on the problem, and legislation is being suggested in the form of bills to accomplish the following:

First—To extend to our California corporations the relief from license taxes which the decision accords to foreign corporations;

Second—To adjust the tax on general corporate franchises to the present proper rate as determined by the State Board of Equalization;

Third—To eliminate the differential classification of so-called "intangible" property, on which the decisions affecting national bank taxation were based.

These steps are designed only to meet emergencies presented by these recent court decisions and will neither produce any increase in State revenues or effect any change in our tax system beyond what the decisions themselves render absolutely imperative. By this method our tax system may be properly safeguarded, and our State banks and domestic corporations may be assured of no greater tax burden than is borne by national banks and foreign corporations.

Respectfully submitted,

C. C. YOUNG, Governor.

Message from the Governor referred to Committee on Rules.



## THIRD READING OF SENATE BILLS - (RESUMED).

Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to the appointment of deputies.  
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 679 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 810—An act to amend section 323 of the Political Code, relating to time when statutes take effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 810 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 868—An act to amend section 309½ of the Civil Code, relating to the authorization of the distribution of the capital stock or capital assets of a corporation among its stockholders, or any of them, and the procedure therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 868 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## CONSIDERATION OF ASSEMBLY BILL NUMBER FIVE HUNDRED.

Senator Inman asked for and was granted unanimous consent to take up at this time Assembly Bill No. 500.

Assembly Bill No. 500—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922.

Bill read third time.

PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of the bill be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—37.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 500 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 864—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 864 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 867—An act to amend section 1033 of the Code of Civil Procedure, relating to costs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 867 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 700—An act to amend section 1663 of the Code of Civil Procedure, relating to the partial distribution of estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 700 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 89—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof within, municipal corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 89 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

#### TITLE AMENDED.

Senator Jones, H. C., moved to amend the title of Senate Bill No. 89 by adding thereto the following:

#### AMENDMENT NUMBER ONE.

Strike out the last word in the title of the printed bill, "corporation", and insert in lieu thereof the word "corporations".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and re-engrossment, and transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 866—An act to amend section 1523 of the Code of Civil Procedure, relating to the sale of personal property by executors and administrators;

Also: Senate Bill No. 226—An act to amend section 4300h of the Political Code, relating to coroners' fees;

Also: Senate Bill No. 766—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relative to the filing by contractors and others of bonds or certified checks;



Also: Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks;

Also: Senate Joint Resolution No. 12—Relative to the appointment of a State commission to act for the State, in conjunction with the United States commission created by joint resolution approved December 2, 1924, in the George Washington Celebration to be held in the year 1932;

Also: Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judge;

Also: Senate Bill No. 803—An act to amend chapter IV of title I of part III of the Political Code by amending section 726 thereof and adding thereto a new section to be known as 727, to relate to the Judicial Council and the duty of county clerks and clerks of the various courts;

Also: Senate Bill No. 858—An act to provide for the formation, powers, duties, government, and maintenance of health and sanitary districts in the State; the acquisition, maintenance, improvement, and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 866—An act to amend section 1522 of the Code of Civil Procedure, relating to the sales of personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 866 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 765—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof, upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 765 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson,

Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 766—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places, and sidewalks within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 766 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 767—An act to amend sections 5 and 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 767 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—34.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATE JOINT RESOLUTION No. 12.

Relative to the appointment of a State commission to act for the State, in conjunction with the United States commission created by joint resolution approved December 2, 1924, in the George Washington celebration to be held in the year 1932.

WHEREAS, Congress of the United States by joint resolution approved December 2, 1924, established the United States commission for the celebration of the two hundredth anniversary of the birth of George Washington, composed of nineteen commissioners; and

WHEREAS, Pursuant to said resolution of congress the President of the United States, the Presiding Officer of the Senate and the Speaker of the House of Representatives, have been designated as members of the commission; eight dis-

tinguished American citizens have been appointed by the President of the United States; four United States Senators have been appointed by the President pro tempore of the Senate; and four Representatives have been appointed by the Speaker of the House of Representatives, all constituting a commission of nineteen members; and

WHEREAS, The significance of this proposed celebration equals in importance any historical event that has ever been commemorated by the nation, honoring as it does the memory and deeds of George Washington who led the American people through a campaign which won for them their independence, who presided at the convention which gave to the republic its constitution, who was the nation's first President, and who died, and has since lived, as "first in war, first in peace and first in the hearts of his countrymen"; now therefore be it

*Resolved by the Senate and Assembly of the State of California, jointly.* That a State commission is hereby created to consist of fifteen members of whom three ex officio members shall be the Governor of California, the Lieutenant Governor of California and the Speaker of the Assembly, and of whom six shall be appointed by the Governor, three by the President of the Senate appointed from among the members of the Senate and three by the Speaker of the Assembly from among the members of the Assembly, to act for the State in conjunction with the United States commission created by said resolution in the George Washington celebration to be held in the year 1932.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 12 ordered transmitted to the Assembly.

Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Senate Bill No. 58 to Senator Hurley, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "nine".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 58, with instructions to amend, respectfully reports the same back, amended as per instructions.

HURLEY, Special Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, and cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties.

On motion of Senator Boggs, Senate Bill No. 237 was re-referred to Committee on Municipal Corporations.



## USE OF SENATE CHAMBER GRANTED.

Senator Boggs asked, and was granted unanimous consent, for the use of the Senate Chamber by the Committee on Agriculture and Live Stock for the evening of April 4, 1927.

## RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 731—An act to provide for declarations of intention concerning street and highway opening and widening and the establishment of future street lines by any county, city or city and county or by the State of California along any present or proposed street or highway—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by repealing the first numbered section 11 of article VI, proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 4, 1924, by amending sections 3, 4, 5 and 13 of said article and by adding to said article new sections to be numbered 4a, 4b, 4c and 11a, relating to courts of record and inferior courts—and reports that the same has been correctly re-re-engrossed.

JONES, RAY, Chairman.

## ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1158—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, authorizing a reclamation district that may have sold or transferred any of its levees or property to Sacramento and San Joaquin Drainage District, Sutter-Butte By-pass Project No. 6, or any other unit or project, and received warrants issued by said Sacramento and San Joaquin Drainage District or Sutter-Butte By-pass Project No. 6, or any other project thereof, in exchange or payment therefor, or may have received or may receive compensation for any property included in any plan now or that may hereafter be adopted for controlling the flood waters of Sacramento and San Joaquin rivers, or their tributaries, to exchange said warrants for outstanding warrants issued by such reclamation district and also providing that in any new, additional or supplemental assessment of such reclamation district, there shall be determined the amount that should be assessed upon tracts of land the benefits accrued from the expenditures represented by the warrants of the reclamation district exchanged or paid for by warrants of Sacramento and San Joaquin Drainage District, and also the amount that should have been apportioned of warrants of Sacramento and San Joaquin Drainage District, and providing that if the amount

that would have been assessed against each tract of land is greater than the amount to which such tract or owner thereof would have been entitled on distribution of warrants, such excess shall be assessed to each tract of land and if the amount be less, the difference shall be paid to the owner of such tract by such reclamation district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

RUSH, Chairman.  
BOGGS.  
GARRISON.  
GRAY.  
INMAN.  
JONES, RAY.

Assembly Bill No. 1158 ordered on file for second reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OILNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TWENTY-THREE.

##### AMENDMENT NUMBER ONE.

On page 3, line 44, of the printed bill, strike out the words "and lawfully".

##### AMENDMENT NUMBER TWO.

On page 3, line 45, of the printed bill, after the word "effective" insert a comma followed by the words: "under tariffs and schedules of such corporations or persons, lawfully on file with the railroad commission".

##### AMENDMENT NUMBER THREE.

On page 3, line 48, of the printed bill, strike out the word "and".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 123?

The roll was called, and Assembly amendments to Senate Bill No. 123 concurred in by the following vote:

AYES—Senators Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Garrison, Hollister, Ingram, Inman, Johnson, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Tubbs, Waggy, and Weller—21.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 124—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended:

Also: Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement thereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof:

Also: Senate Bill No. 348—An act to establish standards for field crop products and related agricultural products, providing for the sampling, grading, inspection and certification thereof, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing penalties for violation of the provisions hereof, and repealing the California Grain Standardization Act, approved June 3, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 124, 148 and 348 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1170—An act to add a new section to the Political Code to be numbered 1197c, relating to a means of distinguishing between similar names on the ballot:

Also: Assembly Bill No. 1172—An act to amend section 1590 and section 1733 of the Political Code, relating to schools:

Also: Assembly Bill No. 1194—An act to add new sections to article IIb of chapter III of title I of part III of the Political Code, to be numbered 361c, 361f, and 361g, creating in the Department of Agriculture a Division of Land Settlement, defining the powers and duties and providing for the administration thereof:

Also: Assembly Bill No. 1200—An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof:

Also: Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to a Division of Cannery Inspection:

Also: Assembly Bill No. 1231—An act to add a new section to the Political Code to be numbered 736b, prescribing the payment of compensation of judges of the superior court.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 1170 read first time, and referred to Committee on Elections.

Assembly Bill No. 1172 read first time, and referred to Committee on Education.

Assembly Bill No. 1194 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1200 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1217 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1231 read first time, and referred to Committee on Finance.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 690—An act to amend title *Xa* of the Code of Civil Procedure, relating to civil proceedings in municipal courts;

Also: Assembly Bill No. 763—An act to amend sections 1357 and 1359 of the Political Code, relating to absent voters;

Also: Assembly Bill No. 867—An act to amend section 628*b* of the Penal Code, relating to protection of black bass;

Also: Assembly Bill No. 1027—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use waters; providing for the approval of the State Superintendent of Banks of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds and such transfers or contracts providing therefor by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended by amending sections 1, 1*a*, 2 and 8 thereof and by adding new sections thereto, to be numbered 2*b*, 2*c* and 2*d*, relating to the formation of such districts, the selection of officers thereof and to district taxes or assessments;

Also: Assembly Bill No. 1065—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation;

Also: Assembly Bill No. 1129—An act to amend section 10 of an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913, relating to the disposition of funds.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 690 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 763 read first time, and referred to Committee on Elections.

Assembly Bill No. 867 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1027 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1065 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1129 read first time, and referred to Committee on Mines and Mining.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 108—An act to amend section 4264 of the Political Code, relating to the salaries of county officers of counties of the thirty-fifth class:

Also: Assembly Bill No. 140—An act reserving certain State lands in Del Norte County for park and recreational purposes:

Also: Assembly Bill No. 207—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code, to be numbered 1617a, relating to the sale or lease of real property by school districts, high school districts, and junior college districts:

Also: Assembly Bill No. 291—An act to amend sections 6, 9, 10 and 11 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, as amended relating to cemetery districts:

Also: Assembly Bill No. 307—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class:

Also: Assembly Bill No. 471—An act to amend section 1650 of the Political Code, relating to the duties of the clerks of school districts:

Also: Assembly Bill No. 564: An act to amend sections 18 and 19x40 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 108 read first time, and referred to Committee on County Government.

Assembly Bill No. 140 read first time, and referred to Committee on Conservation.

Assembly Bill No. 207 read first time, and referred to Committee on Education.

Assembly Bill No. 291 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 307 read first time, and referred to Committee on County Government.

Assembly Bill No. 471 read first time, and referred to Committee on Education.

Assembly Bill No. 564 read first time, and referred to Committee on Judiciary.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April, 4, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 195—An act to amend an act entitled "An act to enable counties to join with incorporated cities and towns within such counties in the joint

construction of public buildings to be used jointly for county and municipal purposes" approved May 29, 1913, by adding thereto, two new sections to be numbered 3 and 4—has had the same under consideration, and respectfully reports the same back without recommendation, with amendments, and recommends that the amendments be adopted and printed, and that it be re-referred to this committee.

(Signed out)

LYON, Chairman.  
CROWLEY.  
FELLOW.  
GRAY.  
SHARKEY.  
SLATER.  
WAGY.

Assembly Bill No. 195 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 289—An act to amend section 19r10 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of the probation officer and assistants and deputies in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Senators Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellow, Garrison, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 513—An act to amend section 2322r10 of the Political Code, relating to salaries, fees and expenses of horticultural commissioners, deputies, inspectors and clerks in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 513 passed by the following vote:

AYES—Senators Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellow, Garrison, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 514—An act to amend section 2322r52 of the Political Code, relating to fees and salaries of the horticultural commissioner and his assistants in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 514 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellow, Garrison, Hollister, Ingram, Inman, Johnson, Kline, Maloney, McKinley,



Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 888—An act to amend section 4243 of the Political Code, relating to salaries of copyists appointed by the recorder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 888 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Hollister, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ASSEMBLY CONCURRENT RESOLUTION No. 22.

Relative to an investigation and report as to needed revision of the statutes of California.

WHEREAS, There appears to be a serious need for the compilation, codification, restatement or revision of the laws of the State of California, in whole or in part; and

WHEREAS, It is necessary that a thorough investigation be made of the methods of statutory revision found useful in other states and that a thorough examination of the codes and statutes of California be made in relation to this subject, particularly with reference to conditions and interests that may be peculiar to California, in order that the Legislature may have available adequate information to enable it to fix and determine the policy that should be adopted in this regard; and

WHEREAS, It is the function of the Legislative Counsel to advise the Legislature from time to time as to needed revision of the statutes; now, therefore, be it

*Resolved by the Assembly, the Senate concurring.* That the Legislative Counsel be and he is hereby directed to make a thorough investigation of the subject matter of this resolution and submit his report thereon to the Legislature at the beginning of the forty-eighth session thereof; and be it further

*Resolved,* That said investigation and report shall comprehend a consideration of and recommendation as to the relative merits of codification, compilation, restatement and revision and shall include a statement calling attention to laws of California which have been repealed by implication or which have been declared unconstitutional by the courts but which have not been expressly repealed, and suggestions as to a suitable plan to be followed in maintaining an orderly arrangement of the statutes in the future; and be it further

*Resolved,* That said report or so much thereof may then be completed, or a synopsis thereof, shall be distributed to the members of the Legislature on or before the fifteenth day of November, 1928.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 22 adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Ingram, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, and West—26.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 22 ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 3.

Relative to the Congressional reapportionment of the United States.

WHEREAS, The provisions of the federal constitution providing for a reapportionment of the representatives in Congress from the several states every ten years, based upon the federal census, has not been acted upon since 1910; and

WHEREAS, The present representation in the House of Representatives is based upon the census of 1910, an injustice is imposed upon many states where population has materially increased, and

WHEREAS, The population of the State of California, according to the census of 1920, was 3,426,536, an increase over the population of 1910 of 1,048,987, showing conclusively that the State of California is entitled to more representation in the House of Representatives; and

WHEREAS, It is pointed out that a policy of depriving the State of its proper representation is exceedingly detrimental to the republican form of government; and

WHEREAS, It is deplored that there are differences of opinion and selfishness manifested on the part of those sections which either lose or do not gain in representation; therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly.* That the Legislature of the State of California earnestly petition Congress to enact legislation which will give to the several states of the United States their just representation in Congress based upon the last federal census; and be it further

*Resolved.* That the Secretary of State is hereby directed to send copies of this resolution under the great seal of the State of California to the President and Vice President of the United States, to each member of the Senate and the House of Representatives of the seventieth Congress of the United States and to the governors of each of the several states.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 3 ordered transmitted to the Assembly.

Assembly Bill No. 3—An act to amend section 925 of the Penal Code, relating to grand juries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 3 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Hurley, Ingram, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 163—An act to amend section 4313 of the Political Code, relating to absence of county officers from the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Hurley, Ingram, Inman, Johnson,

Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 504—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance, providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 504 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 36—An act to provide for the formation, powers, government, operation and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 36 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 37—An act to amend an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts, and the powers thereof," approved May 29, 1923, as amended, by adding thereto a new section to be known as section 19a, to provide for the joint administration of county sanitation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 37 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 765—An act to amend the title and sections 5 and 17 of an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, and to add thereto five new sections, to be numbered 4½, 5½, 17½, 19½ and 23½, relating to the annexation of county sanitation districts of contiguous territory, the compensation of directors of such districts, the operation and maintenance of lateral and collecting sewers, the construction by such districts of sewers under the "Improvement Act of 1911," and the dissolution of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 765 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 238—An act to amend an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and of voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," by amending section 6 thereof, relating to elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 238 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagyi, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 883—An act to cede to the United States exclusive jurisdiction over Lassen Volcanic National Park, in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 883 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagyi, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 738—An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 738 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Taylor, Tubbs, Wagyi, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 595—An act providing for the formation, government, operation, reorganization, dissolution and alteration of the boundaries of harbor districts for the improvement, development or protection of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 595 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C.,

Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 486—An act to create a harbor district to be called Hueneme Harbor District; to provide for the improvement, development and protection at Hueneme Bay of a harbor and approaches thereto; to provide for the government control, operation and maintenance of said district and harbor and to define the powers and duties of the officers thereof; to provide for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness for said construction and the voting, issuing and selling of bonds to pay the cost thereof; and to provide for the levy of assessments and taxes by said district and the collection thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 486 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BOGGS IN THE CHAIR.

At three o'clock and eighteen minutes, p.m., Senator Boggs of the Tenth District was called to the chair.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
IN THE CHAIR.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TWENTY-THREE.

Senator Nelson asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, Senate Bill No. 523.

Senate Bill No. 523—An act to amend an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, by adding two new sections thereto, to be numbered 2½ and 50½, relating to certification of warehousemen.

Bill read third time.



## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 523 to Senator Murphy, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, strike out the word "in", and all of line 28 and down to and including the word "more" in line 29.

## MOTION TO LAY ON THE TABLE.

Senator Swing moved that the motion to refer to Special Committee of One be laid on the table.

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Canepa, Inman and Jones, H. C., upon the motion to lay the motion to refer to Special Committee of One upon the table. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One ordered laid on the table by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Chamberlin, Christian, Crowley, Evans, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Weller—26.

NOES—Senators Baker, Canepa, Cobb, Fellom, Garrison, Inman, Jones, H. C., Maloney, Murphy, Wagy, and West—11.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 523 passed by the following vote:

AYES—Senators Breed, Chamberlin, Crowley, Evans, Gray, Handy, Hurley, Ingram, Inman, Johnson, Lyon, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, and Weller—22.

NOES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Fellom, Garrison, Hollister, Jones, H. C., Jones, Ray, Maloney, Murphy, Wagy, and West—15.

## NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 523 was passed.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 24—Approving a certain amendment to the charter of the city of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the tenth day of March, 1927—and reports that the same has been correctly enrolled, and presented to the Governor on this fourth day of April, 1927, at 3 o'clock and 40 minutes p.m.

JONES, RAY, Chairman.

## ON RULES.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Taylor to introduce a bill entitled—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—37.

NOES—None.

# INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Taylor: Senate Bill No. 878—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read first time, and referred to Committee on Judiciary.

# THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 157—An act to add a new section to be numbered 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities, or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements: to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the making of reassessments.

Bill read third time.

# MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 157, as amended March 4, 1927, and March 11, 1927, and April 1, 1927, to Senator Evans, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On line 21, of the title of the printed bill, as amended March 4, 1927, and March 11, 1927, and April 1, 1927, strike out the following: "the making of reassessments." and insert in lieu thereof the following: "street improvements."

## AMENDMENT NUMBER TWO.

On page 6, line 39, of the printed bill, as amended March 4, 1927, and March 11, 1927, and April 1, 1927, strike out line 39, and insert in lieu thereof the following: "daily newspaper, by one insertion in a newspaper issued less than six times a week, such being a".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 157, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator Lyon adopted.

Bill ordered to print.

Assembly Bill No. 598—An act to add a new section, to be numbered 383a, to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation thereof.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 598 to Senator Pedrotti, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, strike out the following words, to wit: "where such laws are applicable" and insert in lieu thereof "in connection wherewith Jewish laws and customs obtain".

## AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, strike out the period and insert in lieu thereof a comma and the following words "foods and food stuffs".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 598, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDROTTI, Special Committee.

Report read, and on motion of Senator Lyon adopted.

Bill ordered to print.

## RESOLUTIONS.

The following resolutions were offered:

By Senator Crowley:

*Resolved*, That A. P. Cramer be and he is hereby transferred from the position of Assistant at the Desk at \$5.00 per day to the position of Assistant Secretary at \$7.00 per day, payable weekly, and the Controller is hereby directed to draw his warrant for the said amount, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Taylor, Tubbs, Wag, Weller, and West—30.

NOES—None.

Also:

*Resolved*, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law with the compensation set



opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts and the Treasurer is hereby directed to pay the same:

Dorothy Inman, Assistant Journal Clerk-----	\$5 00 per day
J. F. Lott, Assistant at Desk-----	5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, Mueller, Murphy, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, and Weller—28.

NOES—None.

#### REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Inman:

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to create a flood control district to be called "American River Flood Control District"; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district; in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose, and declaring this act to be an emergency measure.

Request referred to Committee on Rules.

By Senator Nelson:

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 3664d of the Political Code, relating to assessment and taxation of franchises.

Request referred to Committee on Rules.

By Senator Breed:

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend sections 3617, 3627, 3628, 3629 and 3650 of the Political Code, and to repeal section 3627a of said code, all relating to revenue and taxation.

Request referred to Committee on Rules.

By Senator Hollister:

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add new sections to the Civil Code, to be numbered 405, 406, 408, 409 and 410, relating to foreign corporations.

Request referred to Committee on Rules.

By Senator Johnson:

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 10, 11 and 15 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

Request referred to Committee on Rules.

#### ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, April 5, 1927.

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#### IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, April 5, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—37.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 4, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVES OF ABSENCE.

Senator Allen, N. M., was, on motion of Senator McKinley, granted leave of absence for this day.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for this day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Stanley Abel of Taft, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Carroll S. Bucher, attorney, of San Francisco, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Robert L. Mann and Mr. Wesley Mann of San Francisco, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Sierra School, Sacramento, Ruth Peterson and Martha J. Ferguson, teachers, and the following pupils: Frances Clayton, Elethea Solski, Ethelwyn Bogart, Mary Jane Mariante, Janice Fulton, Emeline Pylman, Catherine Burch, Betty Wiseman, Naomi Brown, Helen Burdick, Betty Gaylord, Catherine Haddock, Arleen Heltwood, Julia Walsh, Roselind Morshead, Priscella Reed, Betty Belle Cook, Rosalind Fraser, Mildred Allen, Celia Mills, Mary Mack, Lois Lloyd, Catherine Peasgood, Emily Rhorer, Elise Boullion, Norine Jennings, Gene Tiegellas, Betty Vincent, Beth Ryman, Hoyt Snyder, William Smith, Frank Stoneburner, David Larson, Tom Callahan, Jackson Lawlor, Bevely Arnold, Eugene Watchhorst, Robert Whitman, Alexander Macdonald, Harold Peterson, Barney Dinon, Frank Merwin, John Callaghan, Albert Nagahashi, Todd Zagoren, Able Sequeira, Charles Glover, Charles Lawrence and Robert Pylman.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. D. McDowell of Los Angeles, international organizer of Culinary Workers of California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to eighth grade classes of the Marshall School of Sacramento; teachers, Miss Mercedes McGinnis and Miss Ella L. Wohlfrom, and pupils as follows: Norman Bakulich, Floyd Dozier, Douglas Dudrow, Dell Fishback, Jack Hoffman, Raymond Keck, Charles Phelan, Claudius Richards, Chester Smith, Bill Tuttle, Donald Wilkins, Carl Wilson, Larry Wipf, Charles Zeitler, Alice Ellis, Mary Gomes, Kathryn Hails, Harriet Heidtman, Eleanor Herr, Alice Hylton, Betty King, Beulah Reeder, Laura Soares, Jane Speich, Fama Vaughn, Marie Wycoff, Cameron Bier, Everett Bryant, Walter Copping, Edward Dolder, Billie Hall, Craig Hyde, Melvin Hawtry, Fred Jones, Robert Keck, Francis Lozano, William Pisani, Glenn Robinson, Donald Tempest, Evelyn Evans, Irene Gordon, Dorothy Jones, Mary Lu Johnston, Catherine Kennedy, Maxine Marshall, Jessie Mae Meier, Eleanor Meredith, Jeane Ottstad, Lucille Ramsey, Dorothy Smitherham, Donna Wight, Nettie Wight and Aileen Yoder.

#### PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Boggs:

LODI DISTRICT CHAMBER OF COMMERCE, INC.

LODI, CALIFORNIA.

Resolution centralizing heads of all State departments at State Capital:

WHEREAS, The people of the city of Sacramento, did, upon the fifth day of April, 1913, authorize a bond issue of \$700,000 with which to purchase the two blocks Ninth to Tenth, L to N street, in said city; and

WHEREAS, Said blocks were thereafter purchased and presented to the State of California upon which to erect additional buildings for the purpose of housing State departments; and

WHEREAS, Up to this time the people of said city have remained passive upon the removal of State departments from said city to other cities of the State because of shortage of housing facilities; but



WHEREAS, The State has now caused to be erected upon the land deeded to the State two magnificent office buildings and no shortage of housing facilities is now apparent; and

WHEREAS, Because of the deeding of the two said blocks of land to the city the same has been removed from the tax rolls of said city; and

WHEREAS, It is the direct provision of the law that Sacramento shall be the State capital; and

WHEREAS, Senate bills numbered from 778 to 780, inclusive, and from 198 to 801, inclusive, provide for the return to the State capital of the departments, boards and bureaus; therefore, be it

*Resolved*, That the Lodi District Chamber of Commerce go on record as being heartily in favor of the passage of said bills.

The above is a true and correct copy of resolution unanimously adopted by the board of directors of the Lodi District Chamber of Commerce on February 2, 1927.

E. E. DAVID, Secretary-Manager.

Also:

STOCKTON CHAMBER OF COMMERCE.

STOCKTON, CALIFORNIA, March 18, 1927.

*Senator Frank S. Boggs,*

*Senate Chamber,*

*Sacramento, California.*

MY DEAR SENATOR BOGGS: At the meeting of the board of directors of the Stockton Chamber of Commerce today, Assembly Bill No. 247, with regard to the "Water Commission Act," received the unanimous endorsement of this organization.

We earnestly petition you to use your full efforts and influence in securing the passage of this act for the benefit of our mountain counties.

Yours very truly,

S. J. RICHARD, Secretary-Manager.

#### REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 33—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor;

Also: Senate Bill No. 542—An act to amend an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors, whether in county jails or in city prisons, by amending said act so as to provide that in cities where a municipal court has been established, the board of parole commissioners for such municipal court shall consist of the presiding judge of said court, the chief of police and the prosecuting attorney of such city;

Also: Senate Bill No. 851—An act to validate the organization and existence of county water districts;

Also: Senate Bill No. 870—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class;

Also: Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class;

Also: Senate Bill No. 854—An act to add two new sections to be numbered 24 and 504 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities;

Also: Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in, and when and how it may be withdrawn;

And reports that the same have been correctly engrossed.

ALLEN, J. M., Vice Chairman.

## MOTION TO WITHDRAW SENATE BILL.

Senator Fellom moved, duly seconded by Senator Maloney, that Senate Bill No. 4 be withdrawn from Committee on Revision of Criminal Law and Procedure and placed on file.

## MOTION TO LAY ON TABLE.

Senator Chamberlin moved that Senator Fellom's motion to withdraw Senate Bill No. 4 from Committee on Revision of Criminal Law and Procedure be laid on the table.

Motion carried, and such was the order.

## QUESTION OF PERSONAL PRIVILEGE.

Senator Fellom arose to a question of personal privilege and addressed the Senate as follows:

Regarding the announcement of the vote on the motion of Senator Chamberlin to lay on the table my motion to withdraw Senate Bill No. 4 from committee:

I was on my feet before the vote was announced asking for a roll call—this demand should have had the same standing as a call for "division," and should, therefore, have been allowed. Others were ready to request roll call with me.

Further, this bill was introduced in the Senate on January 6, 1927. It was referred to the Committee on Revision of Criminal Procedure, though no such a committee then existed. We were operating under the old rules adopted on January third, which did not provide for a Committee on Revision of Criminal Procedure. The new or permanent rules which created this new committee were not adopted until January 7, 1927. I maintain above was a serious irregularity.

## CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 12—An act to amend section 487 of the Penal Code, relating to grand larceny.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "hog", strike out the word "or", and insert in lieu thereof a period.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "turkey", and insert in lieu thereof:

4. When the property taken is domestic fowls to the value of fifty dollars.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 195—An act to amend an act entitled "An act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes," approved May 29, 1913, by adding thereto two new sections to be numbered 3 and 4.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, after the word "four", strike out the period and add the following: "relating to the manner of entering into such joint construction agreements and authorizing the incurring of an indebtedness therefor."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, after the word and figure "Sec. 4.", add the following: "Any county and any city entering into any such agreement may, in the manner authorized by the constitution, incur an indebtedness for the purpose of erecting, constructing and equipping such building."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, before the word "an", insert the following: "entitled".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1158—An act to amend an act entitled "An act approving the report of the California Debris Commission, transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto, to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

Bill read second time, and ordered on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

Bill read third time.



MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 518 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 19, of the printed bill, as amended in the Senate March 17, 1927, strike out the word "in", and insert in lieu thereof the following: "for ~~general~~ administration expenses and for".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 518, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Special Committee.

Report read, and on motion of Senator Breed adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 343 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 731—An act to provide for declarations of intention concerning street and highway opening and widening and the establishment of future street lines by any county, city or city and county or by the State of California along any present or proposed street or highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 731 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of assistants and deputies in such office, by prescribing the number and fixing the salaries of such assistants and deputies; and making a supplemental appropriation to be applied toward the payment of such salaries during the seventy-ninth and eightieth fiscal years.

On motion of Senator Breed, Senate Bill No. 527 was passed on file, to retain its place on file.

Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office; prescribing the number and fixing the salaries thereof and making a supplement appropriation to be applied toward the payment of such salaries during the seventy-ninth and eightieth fiscal years.

On motion of Senator Breed, Senate Bill No. 528 was passed on file, to retain its place on file.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

##### ON RULES.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Breed, to introduce a bill entitled—An act to amend sections 3617, 3627, 3628, 3629 and 3650 of the Political Code, and to repeal section 3627a of said code, all relating to revenue and taxation—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Nelson, to introduce a bill entitled—An act to amend section 3664d of the Political Code, relating to assessment and taxation of franchises—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Hollister, to introduce a bill entitled—An act to add new sections to the Civil Code to be numbered 405, 406, 408, 409, and 410, relating to foreign corporations—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Johnson, to introduce a bill entitled—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 10, 11 and 15 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Inman to introduce a bill entitled—An act to create a flood control district to be called American River Flood Control District; to provide for the control and disposition of storm and flood waters and for the protection of waterways, etc., making an appropriation therefor, etc.—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.



The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Beggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Breed: Senate Bill No. 879—An act to amend sections 3617, 3627, 3628, 3629 and 3650 of the Political Code and to repeal section 3627a of said code, all relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Nelson: Senate Bill No. 880—An act to amend section 3664d of the Political Code, relating to assessment and taxation of franchises.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Hollister: Senate Bill No. 881—An act to add new sections to the Civil Code to be numbered 405, 406, 408, 409 and 410, relating to foreign corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Johnson: Senate Bill No. 882—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 10, 11 and 15 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance," approved May 10, 1915, as amended.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Inman: Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District": to provide for the control and disposition of storm and flood waters and for the protection of waterways property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of

the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose, and declaring this act to be an emergency measure.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 726—An act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 726 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 226—An act to amend section 4300*b* of the Political Code, relating to coroners' fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 226 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR GRAY IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Senator Gray of the Twentieth District was called to the chair.

Senate Bill No. 803—An act to provide for the appointment, employment, and compensation of the officers and employees of the Judicial Council of the State of California, and for the incidental expenses and disbursements of said council.

Senator Inman asked for and was granted unanimous consent to have Senate Bill No. 803 re-referred to Committee on Finance.

Senate Bill No. 788—An act to amend sections 364, 364*a*, 364*b*, 364*c* and 364*d* of the Political Code, and to add new sections to said act to be numbered 364*e* to 364*i*, inclusive, relating to a Department of Industrial Relations.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Senate Bill No. 788 to Senator Jones, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, as amended on March 24, 1927, strike out the words "three hundred sixty-four i" and insert in lieu thereof the words "three hundred sixty-four j".

## AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended in the Senate on March 24, 1927, following line 33, insert the following:

SEC. 11. A new section is hereby added to the Political Code to be numbered 364j and to read as follows:

364j. All duties, powers, purposes, responsibilities and jurisdiction heretofore vested in the industrial accident commission in so far as the same relate to the administration of the state compensation insurance fund shall hereafter be vested in the industrial accident commission.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 788, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, H. C., Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 823 to Senator Breed, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 25, of the printed bill, after the comma following the word "works", add the following: "to be exercised through the respective surveyor of each such port."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 823, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 690—An act to amend sections 290b, 290c, 290d, 290e and 290f of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 690 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram,



Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8, and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Senator Crowley asked for and was granted unanimous consent to have Senate Bill No. 315 re-referred to Committee on Finance.

Senate Bill No. 60—An act to amend section 19 of the "Workmen's Compensation, Insurance and Safety Act of 1917," relating to evidence. Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 60 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—30.

NOES—Senator Lyon—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

SENATOR MUELLER IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Senator Mueller of the Fortieth District was called to the chair.

LIEUTENANT GOVERNOR IN THE CHAIR.

At twelve o'clock and forty-eight minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section 13 of article I thereof, relating to rights of persons accused of crime and the taking of depositions in criminal cases.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 10 refused adoption by the following vote:

AYES—Senators Baker, Boggs, Breed, Cobb, Evans, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, McKinley, Nelson, Rush, Sharkey, Slater, Taylor, Wagy, and Weller—19.

NOES—Senators Allen, J. M., Canepa, Chamberlin, Christian, Crowley, Fellom, Gray, Inman, Lyon, Maloney, Mueller, Murphy, Swing, Tubbs, and West—17.

## RECESS.

At one o'clock p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Burton R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 701—An act to amend Political Code by adding thereto a section to be known as section 63.3aa, relating to license to act as life insurance broker;

Also: Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts;

Also: Senate Bill No. 234—An act to amend an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accounts; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, by amending subdivision 3 of section 2, by providing that no person shall be compelled to work or be employed, at any time, in the office of a certified public accountant as a prerequisite to taking such examination;

Also: Senate Bill No. 800—An act to amend section 349 of the Political Code, relating to the location of the offices of the departments and the residence of the heads thereof;

And reports that the same have been correctly engrossed.

ALLEN, J. M., Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes; and reports that the same has been correctly reengrossed.

ALLEN, J. M., Vice Chairman.

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership 18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bill No. 315 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor;

Also: Senate Bill No. 84—An act appropriating money to pay the claim of the cashier of the Board of State Harbor Commissioners of San Francisco against the State of California;

Also: Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443, and 1760 of the Political Code, relating to education, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 152, 84 and 630 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 439—An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State Park system; to establish and define the State Park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund;

Also: Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying on of this survey and repealing an act entitled "An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act," approved May 29, 1923;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 439 and 440 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 605—An act to amend section 16 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, relating to the reporting of contagious diseases;

Also: Assembly Bill No. 621—An act to amend sections 9 and 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Assembly Bills Nos. 605 and 621 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 443—An act to amend sections 1, 3, 5, 6, 6a, 7, 8, 9, 11, 12 and 13 of and to add three new sections to be numbered 6b, 6m, and 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for



the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry;

Also: Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to a Division of Cannery Inspection; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they be re-referred to committee.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bill No. 443 ordered on file for second reading.

Assembly Bill No. 1217 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 281—An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended and to add a new section thereto to be known as section 8h;

Also: Assembly Bill No. 306—An act to be known as the "Pure Milk Law of California," to prevent the sale of impure and unwholesome milk, to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, counties and groups of cities and counties to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the payment of a fee to defray the expenses of such approved milk inspection service; to provide for the examination, testing, branding and exclusion of tuberculous cattle; to prescribe penalties for violation of the provisions hereof; to repeal an act known as the "Pure Milk Law," approved June 15, 1923, as amended, and all acts or parts of acts inconsistent with the provisions of this act;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bill No. 281 ordered on file for second reading.

Assembly Bill No. 306 ordered on file for second reading.

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 708—An act to repeal that certain act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

KLINE, Chairman.

Senate Bill No. 708 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Concurrent Resolution No. 23—Relative to the creation of a committee for the purpose of making a comprehensive study into the subject of grade crossing accidents and delays and reporting thereon to the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

KLINE, Chairman.

Senate Concurrent Resolution No. 23 ordered on file.

## ON CONSERVATION

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 382—An act to amend section 24 of an act entitled "An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for the irrigating of lands in such districts, for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; for the inclusion therein of irrigation districts, water storage districts, reclamation districts, drainage districts, and other political subdivisions of the State, as constituent districts or units of said water conservation districts, and the manner of providing funds and the voting and issuance of bonds by such political subdivisions, to carry out the purposes of this act; and creating a State board to be known as the 'State Irrigation Board,' and defining its powers and duties, and the methods and procedure of exercising such powers and duties," approved June 18, 1923, as amended;

Also: Assembly Bill No. 128—An act to establish a State park to be known as "Burney Falls State Park," at Burney Falls, near the town of Burney, Shasta County, California, and providing for the control of said park and for the construction, maintenance and operation of buildings and improvements thereon and for the conduct and management thereof;

Also: Assembly Bill No. 934—An act to add eighteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q, 64r, to the "California Storage District Act," approved June 3, 1921, as amended, relating to the inclusion and exclusion of lands in and from water storage districts;

Also: Assembly Bill No. 140—An act reserving certain State lands in Del Norte County for park and recreational purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bills Nos. 382, 128, 934 and 140 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Enrolled Assembly Bill No. 806—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to the compensation and travel expenses of water masters and the payment thereof—has had the same consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bill No. 806 ordered on file for second reading.

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 429—An act to repeal sections 635a, 635b, 635c, 635d, 635e, 635f, 635g, 635h, 635i, 635j, 635k and 635l of the Political Code;

Also: Senate Bill No. 840—An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927, authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America;

Also: Senate Bill No. 877—An act to amend section 307 of the Civil Code, relating to corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bills Nos. 429, 840 and 877 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 159—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

Also: Assembly Bill No. 159—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend section 1612, 1613, 1624, 1689 and 2387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 690 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states;

Also: Assembly Bill No. 186—An act to amend the Code of Civil Procedure by adding a new section thereto, relating to the expenses of judges of the superior courts;

Also: Assembly Bill No. 196—An act to amend section 1810b of the Code of Civil Procedure, relating to attorney's fees against minors fixed by court and payment of judgments in actions by or on behalf of minors;

Also: Assembly Bill No. 372—An act to amend section 438 of the Code of Civil Procedure, relating to counter claims;

Also: Assembly Bill No. 375—An act to amend section 1048 of the Code of Civil Procedure, relating to consolidation of actions;

Also: Assembly Bill No. 376—An act to add a new section to the Code of Civil Procedure to be numbered 1062a, relating to declaratory relief;

Also: Assembly Bill No. 422—An act to amend section 1469 of the Code of Civil Procedure, relating to the administration of estate not exceeding \$2,500 in value;

Also: Assembly Bill No. 493—An act to amend section 1598 of the Code of Civil Procedure, relating to the filing of a petition for executor or administrator to make conveyance or transfer and notice of hearing thereof;

Also: Assembly Bill No. 580—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits;

Also: Assembly Bill No. 581—An act to add a new section to the Code of Civil Procedure, to be numbered 379a, relating to the joinder of parties to actions;

Also: Assembly Bill No. 582—An act to add a new section to the Code of Civil Procedure, to be numbered 379b, relating to the parties to actions;

Also: Assembly Bill No. 611—An act to amend section 602 of the Penal Code, relating to trespass;

Also: Assembly Bill No. 673—An act to add a new section to the Code of Civil Procedure, to be numbered 1983, relating to the burden of proof in certain cases;

Also: Assembly Bill No. 704—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b;

Also: Assembly Bill No. 828—An act to add a new section to the Civil Code to be numbered 606, relating to the organization of corporations for charitable and eleemosynary purposes;

Also: Assembly Bill No. 844—An act to amend section 19b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons; and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salaries thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;



Also: Assembly Bill No. 900—An act to amend sections 137 and 140 of the Civil Code, relating to permanent support of wife or husband by the other, as the case may be;

Also: Assembly Bill No. 981—An act to amend section 1723 of the Code of Civil Procedure, relating to establishment of the fact of death;

Also: Assembly Bill No. 983—An act to amend section 1668 of the Code of Civil Procedure, relating to decree to be made after notice;

Also: Assembly Bill No. 984—An act to amend section 1373 of the Code of Civil Procedure, relating to setting day for hearing petition for letters of administration and for notice of application therefor;

Also: Assembly Bill No. 985—An act to amend section 1465a of the Code of Civil Procedure, relating to notice of hearing petition and to whom sent;

Also: Assembly Bill No. 986—An act to amend section 1552 of the Code of Civil Procedure, relating to return of proceedings and notice of hearing of return of proceedings after sale of real estate;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 150, 159, 186, 196, 372, 375, 376, 422, 493, 580, 581, 582, 611, 673, 704, 828, 844, 900, 981, 983, 984, 985 and 986 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 377—An act to amend section 378 of the Code of Civil Procedure;

Also: Assembly Bill No. 378—An act to add a new section to the Code of Civil Procedure to be numbered 379c, relating to the joinder of parties defendant;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 377 and 378 ordered on file for second reading.

#### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 439—An act to add to the Political Code a new section, to be numbered section 2323, relating to noxious weeds;

Also: Assembly Bill No. 866—An act to amend section 2322c of the Political Code, relating to county horticultural commissioners;

Also: Assembly Bill No. 930—An act to amend sections 2, 3, 4, 5, and 6 of an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917; as amended," approved June 3, 1921; as amended, approved May 26, 1923; as amended, approved April 10, 1925, as amended, relating to apple packing and grading;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—13; absent—2.

BOGGS, Chairman.

Assembly Bills Nos. 439, 866, and 930 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 264—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor; and to repeal all conflicting acts or parts of acts;

Also: Assembly Bill 305—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19 and 21 of the General Dairy Law of California, relating to milk and products of milk and containers thereof, labeling adulterants, dairy plant sanitation, pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith, and making an appropriation for the enforcement of this act;

Also: Assembly Bill No. 436—An act to provide for the establishment of weed free areas, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners and defining their powers and duties in relation hereto, providing penalties for violation hereof and repealing "An act to prevent the propagation of noxious weeds" approved June 3, 1921: Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—13; absent—2.

BOGGS, Chairman.

Assembly Bills Nos. 264, 305 and 436 ordered on file for second reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to: Assembly Bill No. 202—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class:

Also: Assembly Bill No. 897—An act authorizing the head of any State department, with the approval of the Department of Finance, to destroy records:

Also: Assembly Bill No. 168—An act to amend section 1838 of the Political Code, relating to a building fund tax:

Also: Assembly Bill No. 169—An act to revise an act entitled "An act to provide for the adoption of textbooks for use in the public high schools of the State and for furnishing textbooks for the use of pupils of such schools," approved May 18, 1917:

Also: Assembly Bill No. 1176—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIj, embracing sections 373 to 373i, relating to a Department of Natural Resources:

Also: Assembly Bill No. 176—An act to add a new section to the Political Code, to be numbered 1858a, relating to an emergency fund for the relief of school districts suffering from an unusual increase in school attendance.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913:

Also: Senate Bill No. 624—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer:

Also: Senate Bill No. 634—An act to amend section 11 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation: providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers: providing for the appointment of a clerk of said bureau and fixing his qualifications: fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to salaries of the superintendent and employees of Bureau of Criminal Identification.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 615, 624, and 634 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 889—An act to amend sections 1, 8, 10 and 18½ of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended, relating to insurance against loss or damage by fire, lightning, wind storm, tornadoes and earthquakes;

Also: Assembly Bill No. 961—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-ninth and eightieth fiscal years;

Also: Assembly Bill No. 1043—An act to add to the Code of Civil Procedure six new sections to be numbered 741a to 741f, inclusive, relating to the rights of persons who have in good faith made permanent improvements or paid taxes or assessments upon real property;

Also: Assembly Bill No. 1106—An act to amend sections 1446 of the Penal Code, providing for judgment, fine and imprisonment;

Also: Assembly Bill No. 1163—An act to amend section 3664c of the Political Code, relating to the State Board of Equalization.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 889 read first time, and referred to Committee on Insurance.

Assembly Bill No. 961 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1043 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1106 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 1163 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 715—An act to add a new section to the Political Code to be numbered section 4308a, creating a special fund for certain expenses incurred by grand juries;

Also: Assembly Bill No. 717—An act to amend section 2322½ of the Political Code, relating to expenses, fees and salaries of the horticultural commissioner, his deputies, assistants and inspectors and fixing the number thereof, in counties of the twelfth class;

Also: Assembly Bill No. 760—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to provide a penalty for violation of this act;

Also: Assembly Bill No. 807—An act to amend sections 1 and 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended;

Also: Assembly Bill No. 810—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirtieth class;

Also: Assembly Bill No. 861—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 715 and 717 read first time, and referred to Committee on County Government.

Assembly Bill No. 760 read first time, and referred to Committee on Judiciary.



Assembly Bill No. 807 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 810 read first time, and referred to Committee on County Government.

Assembly Bill No. 861 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 300—An act to amend section 361 of the Code of Civil Procedure, relating to limitation of actions:

Also: Assembly Bill No. 401—An act to amend section 3787 of the Political Code, and relating to the effect of certain deeds to the State:

Also: Assembly Bill No. 667—An act to provide a stenographer and typist for judges of the superior courts, and providing for their salaries and the payment thereof:

Also: Assembly Bill No. 709—An act to amend sections 3457, 3465, 3466 and 3480 of the Political Code and section 3480½ thereof, as enacted by chapter CCLXXXVII of the Statutes of 1923 of the State of California, relating to reclamation districts, and to add a new section, 3468, providing for an annual levy or call of assessment to pay warrants of said districts, and to add a new section, 3493a, providing for payment of expenses of county treasurers in proceedings to collect assessments to pay principal or interest of bonds of said districts, and to add a new section, 3493b, providing for issuance of duplicate bonds and warrants for lost, destroyed, mutilated, and defaced bonds and warrants of said districts:

Also: Assembly Bill No. 712—An act to amend section 3787 of the Political Code.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 300, 401 and 667 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 709 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 712 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Concurrent Resolution No. 17—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California:

Also: Assembly Concurrent Resolution No. 29—Relative to investigation and report as to newspapers that are owned, financed or subsidized by public utility corporations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Concurrent Resolution No. 17 read, and referred to Committee on Prisons and Reformatories.

Assembly Concurrent Resolution No. 29 read, and referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 633—An act to amend section 649 of the Civil Code and to add certain new sections to be known as sections 649a, 651a, 651b, 651c and 651d, relating to the incorporation of colleges and seminaries of learning—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 633—An act to amend section 649 of the Civil Code and to add certain new sections, to be known as sections 649*a*, 651*a*, 651*b*, 651*c* and 651*d*, relating to the incorporation of colleges and seminaries of learning.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED THIRTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed bill, after the word "than", strike out the words "two hundred".

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, after the word "dollars", strike out "(\$250,000.)" and insert in lieu thereof: "(\$50,000.)"

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 633?

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Baker, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, and Wagy—25.

The Secretary announced the absentees.

Time, two o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 769—An act to amend sections 1510, 1511*b* and 1514 of the Penal Code, relating to the powers and duties of coroners.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 769 to Senator Ingram, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 25, of the printed bill, strike out the word "necessary", and insert in lieu thereof the word "necessary".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 769, with instructions to amend, respectfully reports the same back, amended as per instructions.

INGRAM, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

Assembly Bill No. 837—An act to amend section 1764c of the Political Code, relating to special classes in day and evening schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 837 to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, following the word "employ", insert a comma and add the following: "when so directed by the governing board of the school district."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 837, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 633?

The roll was called, and Assembly amendment to Senate Bill No. 633 concurred in by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—33.

NOES—None.

UNFINISHED BUSINESS.

Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to poll-lists and tally-lists, to add a new section 1174a to the Political Code, relating to roster and poll-lists, and to repeal section 1229 of the Political Code.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 303?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 303 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—32.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 503—An act to amend section 4295 of the Political Code, relating to official fees and services.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 503 passed by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 555—An act to amend section 4095 of the Political Code, relating to the duty of county auditors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 555 passed by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Taylor, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1184—An act to amend section 1126 of the Political Code, relating to authorizing supervisors to consolidate election precincts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1184 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 93—An act to amend section 2 of an act entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, defining residents and providing for deportation of non-resident indigents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 93 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson,

Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 19—Relative to the creation of a joint committee of the Senate and Assembly for the purpose of making a thorough study into the traffic situation on the highways of California, with particular reference as to the advisability of the adoption of a law requiring financial responsibility on the part of those owning or operating motor vehicles using the highways, and making an appropriation therefor.

Resolution read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the reading of the resolution, Senator Boggs moved to refer Assembly Concurrent Resolution No. 19 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 7, of the printed resolution, strike out the words "ten thousand", and insert in lieu thereof the words "seven thousand five hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Concurrent Resolution No. 19, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Boggs adopted.

Assembly Concurrent Resolution No. 19 ordered to print.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 949—An act to amend an act entitled "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to describe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers," approved April 28, 1909, as amended, relating to the creation and powers of the county board of forestry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 949 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram,

Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 157—An act to amend sections 4, 6, 8 and 13 and to add two new sections to be numbered 2½ and 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the street improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 157 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### NOTICE OF MOTION TO RECONSIDER.

Senator Jones, H. C., gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 93 was passed.

Assembly Bill No. 158—An act to amend sections 4 and 5 of an act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 158 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 943—An act to amend section 2656 of the Political Code, relating to the division of district funds, upon the incorporation of municipalities, or annexation to municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 943 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Taylor, Wagy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 974—An act to amend section 1 of an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude territory therefrom," relative to record of exclusion.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 974 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 975—An act to amend sections 4 and 10 of an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, relative to municipal annexation procedure and the apportionment of road funds in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 975 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1095—An act to recognize and declare valid all proceedings in the organization, formation and enlargement of Nevada Irrigation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1095 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wag, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 553—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 553 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 647—An act to amend section 384 of the Penal Code, relating to the prevention and control of fires.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 647 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 938—An act to add a new section to the Code of Civil Procedure, to be numbered 1274b, relating to unclaimed moneys of missing persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 938 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wag, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 498—An act to amend section 1 of an act entitled "An act to prevent the importation into the State of California of horses, mules, dairy cattle, breeding bulls, goats, breeding bucks and sheep, which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this act," and repealing an act approved June 4, 1913, entitled "An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules, and asses affected with glanders into the State of California,' approved March 7, 1911;" and repealing an act entitled "An act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this act, and repealing an act approved June 4, 1913, entitled 'An act to prevent the importation into the State of California of horses, mules, asses or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules and asses affected with glanders into the State of California,' approved March 7, 1911,'" approved April 12, 1915, as amended, relating to health certificate and fee therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 498 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagye, and Weller. 31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 460—An act to amend sections 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289 and 1290 of the Code of Civil Procedure, and to add four new sections to said code, to be numbered 1280, 1291, 1292 and 1293, relating to arbitration and awards.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 460 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 836—An act to amend section 1764 of the Political Code, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 836 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 832—An act to amend sections 1 and 3 of an act entitled "An act providing for the free use of all public schoolhouses and property and to establish a civic center at each and every public schoolhouse in the State of California, and to provide for the maintenance, conduct and management of the same," approved June 6, 1913, relating to the establishment of a civic center at the public schoolhouses within the State and to the management, direction and control of said civic center.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 832 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 835—An act to amend "An act to provide that certain graduates of normal schools and teachers colleges shall be required to qualify to give elementary instruction in agricultural subjects."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 835 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, John-

son, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, and Weller—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 801—An act to amend section 1607 of the Penal Code, relating to the removal of prisoners from the county jail by reason of sickness or accident (or on account of fire).

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 801 passed by the following vote:

AYES—Senators Allen, J. M., Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 236—An act to amend section 1362 of the Political Code, relating to the counting and disposition of absentee ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 236 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR MURPHY IN THE CHAIR.

At three o'clock and twenty minutes p.m., Senator Murphy of the Twenty-fourth Senatorial District was called to the chair.

Assembly Bill No. 239—An act to amend an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," by amending sections 1 and 4 thereof, and by adding thereto a new section to be numbered 6, relating to special precincts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Weller moved to refer Assembly Bill No. 239 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, following the word "are", and before the word "to", insert the word "required".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 239, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Weller adopted.

Bill ordered to print.

Assembly Bill No. 242—An act to add a new section to the Political Code, to be numbered 1266a, relating to the establishment of election return centers and the reporting of certain election returns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 242 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 811—An act to amend sections 1113 and 1115, Political Code, relating to the preparation of registration books.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 811 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 10 was refused adoption.

Assembly Bill No. 86—An act to amend sections 1160 and 1164 of the Political Code, relating to the opening and closing of the polls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Swing, Wagy, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 571—An act to amend section 1771 of the Political Code, relating to the suspension or revocation of teachers' certificates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 571 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 216—An act to amend section 4 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employment, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the posting of notices with reference to the time of payment of wages, the place where wages shall be paid, manner of payment, payment in case of strikes and penalties for violations thereof, so as to make the civil penalty for failing to pay the wages of workers monthly or semimonthly entirely independent of the criminal penalty, to provide for the bringing of the civil actions for the said penalties by the said commissioner in the name of "the people of the State of California," delegating to the said commissioner and his attorneys the authority to so proceed and to provide for the consolidation of several causes of action for the said penalties without separately stating them, also for the payment of such penalties without suit.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 216 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 942—An act to add a new section to the Political Code, to be numbered 4082, relating to lost or destroyed county warrants.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Weller moved to refer Assembly Bill No. 942 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 942, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Special Committee.

Report read, and on motion of Senator Weller adopted.

Bill ordered to print.

Assembly Bill No. 944—An act to amend section 4197 of the Political Code, relating to annual report of law library.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 944 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1135—An act to amend section 57 and to repeal section 85 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the disposition of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1135 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson,

Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1082—An act to amend an act appropriating money for the support of orphans, half orphans, and abandoned children, approved March 25, 1880, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1082 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 590—An act appropriating money to pay the claim of George W. Root against the State of California;

Also: Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office;

Also: Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians; cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 590, 293 and 875 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 781—An act authorizing the Board of Control to reconvey certain real property to L. B. Collins;

Also: Senate Bill No. 869—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner;

Also: Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the Upholstered Furniture Inspection fund;



Also: Senate Bill No. 847—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista;  
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 781, 869, 312 and 847 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State commissioner thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bill No. 239 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 319—An act to add a new section to article II of chapter III of title I of part III of the Political Code, to be numbered 362a, relating to the establishment of a Division of School Planning in the State Department of Education and making an appropriation therefor;

Also: Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 319 and 176 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State Park bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective;

Also: Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor;

Also: Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 441, 186 and 188 ordered on file for second reading.

## ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 839—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

WELLER, Chairman.

Senate Bill No. 839 ordered on file for second reading.

## \* POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Jones, H. C., duly seconded by Senator Inman, further consideration of the motion to reconsider the vote whereby Senate Bill No. 523 was passed was continued until the next legislative day.

## SPECIAL ORDER.

Senator Slater moved that the further consideration of the motion to reconsider the vote whereby Senate Bill No. 523 was passed be made a special order for three o'clock and thirty minutes p.m., on the sixth day of April, 1927.

## ADJOURNMENT.

At three o'clock and fifty-nine minutes p.m., on motion of Senator Breed, the presiding Senator declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, April 6, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, April 6, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 5, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Frank McGee, Mr. Dave Keefe and Mr. Ray Rowher, members of the Sacramento Baseball Club of Sacramento, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. John C. Boggs of the University of California Law School of Berkeley, California, and son of Senator Boggs.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Gladys Estelle Magill, National Democratic Congress Committee Woman of California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. Francis Anton of Los Angeles, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. John S. Myers, city comptroller of Los Angeles, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to St. Agnes High School of Stockton, California, Sister Mary Angela and Sister Mary Elizabeth, teachers, and the following pupils: Evelyn Giottonini, Stella Langerio, Ida Bosworth, Ellis Elder, Wilda Thurman, Francis Zana, Olive Cassidy, Dorothy Genichio and Fred F. Giottonini.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 500—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922:

Also: Assembly Bill No. 536—An act to add a new section to the Political Code, to be numbered 1607e, relating to the powers and duties of boards of school trustees and city boards of education and authorizing such boards to establish cafeterias in the schools under their jurisdiction:

Also: Assembly Bill No. 595—An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts:

Also: Assembly Bill No. 888—An act to amend section 4243 of the Political Code, relating to salaries, expenses and fees of county officers in counties of the fourth class:

Also: Assembly Bill No. 916—An act amending the Political Code by adding a new section thereto, to be numbered 1536, to establish a State Curriculum Commission for the public schools of the State:

Also: Assembly Bill No. 665—An act to provide for the regulation and supervision of, and to prevent fraud in, sales of fertilizer as the same is therein defined; to provide for license to engage in the business of selling or dealing in such fertilizer; to provide for the enforcement of said act and penalties for the violation thereof;



Also: Assembly Bill No. 738—An act to require the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses, and providing penalties for the violation thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 998—An act to amend section 626f of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 1045—An act to amend the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by repealing section 25 thereof, relating to principal and contracting employers;

Also: Assembly Bill No. 1157—An act to add a new section to the "Weights and Measures Act," approved June 16, 1913, as amended, to be numbered 16x2, relating to the salaries of the Sealer of Weights and Measures, and deputies, in counties of the second class;

Also: Assembly Bill No. 1232—An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose;

Also: Assembly Bill No. 1245—An act to aid improvement, drainage and reclamation by authorizing certain improvements in and about the city of San Diego and as a means thereof creating a reclamation district to be called and known as the "Bayside Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 998 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1045 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1157 read first time, and referred to Committee on County Government.

Assembly Bill No. 1232 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1245 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 619—An act to prohibit the manufacture, sale, offering for sale, exposing for sale, possession and use of machine rifles, automatic rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device;

Also: Assembly Bill No. 645—An act to amend sections 26, 32 and 36f of the Water Commission Act, approved June 16, 1913, as amended, relating to water rights;

Also: Assembly Bill No. 656—An act to amend section 4273 of the Political Code, relating to fees and salaries of officers in counties of the forty-fourth class;

Also: Assembly Bill No. 759—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers and sleeping car companies of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss of or injury to the same;

Also: Assembly Bill No. 768—An act granting to the Regents of the University of California for the use of the University of California in connection with scientific research and investigation at the Scripps Institution of Oceanography the sole and exclusive right of possession, occupation, and use of certain lands bordering on the Pacific Ocean in the county of San Diego, State of California, and State waters

adjacent thereto, forbidding entry upon said lands and State waters of any persons other than officers, employees, students of the University of California, and licensees of the Regents of the University of California, making every violation of certain provisions of this act a misdemeanor, and providing for the punishment thereof;

Also: Assembly Bill No. 805—An act to amend section 626½ of the Penal Code, relating to the protection of game.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 619 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 645 read first time, and referred to Committee on Conservation.

Assembly Bill No. 656 read first time, and referred to Committee on County Government.

Assembly Bill No. 759 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 768 read first time, and referred to Committee on Universities and Teachers Colleges.

Assembly Bill No. 805, read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 310—An act confirming and validating the boundaries of counties;

Also: Assembly Bill No. 408—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 474—An act to amend section 2322½6 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies, inspectors, and clerks of the counties of the sixth class;

Also: Assembly Bill No. 509—An act to amend section 4300i of the Political Code, relating to fees of the public administrator;

Also: Assembly Bill No. 523—An act to amend section 671 of the Code of Civil Procedure, relating to the docketing of judgments;

Also: Assembly Bill No. 604—An act to amend section 13 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to quarantine rules;

Also: Assembly Bill No. 607—An act to add a new section to the Political Code to be numbered 4184, creating the office of public guardian.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 310 read first time, and referred to Committee on County Government.

Assembly Bill No. 408 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 474 and 509 read first time, and referred to Committee on County Government.

Assembly Bill No. 523 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 604 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 607 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 16—An act to amend section 15 of an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein," approved May 27, 1921, relating to payments to county superintendents of schools;

Also: Assembly Bill No. 54—An act authorizing and empowering any city and county, or county, or city operating under a freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to acquire land and construct and complete improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of hangars for storing aircraft; permitting use for said purposes of property owned for park purposes; providing for the incurring of indebtedness and issuing bonds; validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purposes and of the proceedings leading up to the issuance and the proposed issuance of any such purpose and to levy taxes for such purposes;

Also: Assembly Bill No. 182—An act to amend section 4267 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the thirty-eighth class;

Also: Assembly Bill No. 190—An act to amend section 19x4 of that part of the Juvenile Court Law approved June 3, 1921, and in effect August 2, 1921, and relating to the qualifications and salary of the employees in the office of the probation officer in counties of the fourth class;

Also: Assembly Bill No. 253—An act to amend section 4279 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fiftieth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 16 read first time, and referred to Committee on Education.

Assembly Bill No. 54 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 182, 190, and 253 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 42—An act to add a new section to the Penal Code to be numbered 537c, relating to the purchase or sale of manufactured articles from which identification marks have been removed;

Also: Assembly Bill No. 115—An act to amend sections 1044, 1082a, 1083b, 1094, 1095a, 1096, 1096a, 1097, 1103, 1105, 1106, 1113, 1115, 1120, 1121, 1125, 1142, 1151, 1174, 1192, 1195b, 1204, 1205, 1210, 1220, 1261, 1262, 1264, 1265, of the Political Code, relating to registration of electors and conduct of elections;

Also: Assembly Bill No. 211—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also: Assembly Bill No. 259—An act to amend section 1576 of the Political Code, relating to the organization of school districts in incorporated cities.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 42 read first time, and referred to Committee on Manufactures.

Assembly Bill No. 115 read first time, and referred to Committee on Elections.

Assembly Bill No. 211 read first time, and referred to Committee on County Government.

Assembly Bill No. 259 read first time, and referred to Committee on Education.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 524—An act to amend section 674 of the Code of Civil Procedure, relating to the recording of copy of judgments, providing for the lien thereof and the extent of such lien;

Also: Assembly Bill No. 615—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to the sessions of the superior court and to changes in place of holding the superior court, respectively;

Also: Assembly Bill No. 652—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 749—An act to amend section 4246 of the Political Code, relating to the salaries, fee and expenses of officers in counties of the seventeenth class;

Also: Assembly Bill No. 1216—An act to amend section 6 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious diseases, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended, relating to the application and payment of fees for licenses, registration of licentiates and payment of fees for such registration;

Also: Assembly Bill No. 1223—An act to amend section 1 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,'" approved February 23, 1893, approved March 19, 1907, as amended, relating to statements of candidates.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 524 and 615 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 652 and 749 read first time, and referred to Committee on County Government.

Assembly Bill No. 1216 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1223 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 78—An act to add a new section to the Political Code to be numbered 1624, relating to the sale of school property by one district to another;

Also: Senate Bill No. 86—An act to amend section 1740 of the Political Code, relating to meeting places of high school boards;

Also: Senate Bill No. 102—An act granting to the city of Eureka tide and submerged lands of the State of California including the right to wharf out therefrom to the city of Eureka and regulating the management, use and control thereof;

Also: Senate Bill No. 141—An act to add two new sections to the Political Code to be numbered 2261 and 2262, relating to establishment of kindergarten service for the blind and for vocational training in schools for the blind;

Also: Senate Bill No. 321—An act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of California to the extent that the cost of such services shall be provided for by the Congress of the United States through federal appropriations.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 78, 86, 102, 141 and 321 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 143—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 143—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED FORTY-THREE. AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, strike out the period and insert in lieu thereof a semicolon and add the following: "provided, that, as an alternative method of procedure, when the municipal taxes are collected by the county tax collector, the said county tax collector may, in his discretion, proceed to collect such assessments without reference to the general taxes, by issuing separate bills therefor and issuing separate receipts for collections on account of such assessments. All laws applicable to the levy, collection, and enforcement of county taxes are hereby made applicable to such special assessment taxes."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 143?

The roll was called, and Assembly amendment to Senate Bill No. 143 concurred in by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray, Kline, Lyon, Maloney, Murphy, Nelson, Sharkey, Slater, Taylor, Waggy, Weller, and West—25.

NOES—None.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 515—An act to amend section 35 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 515—An act to amend sections 18 and 35 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED FIFTEEN.  
AMENDMENT NUMBER ONE.

In the first line of the title of the amended bill, strike out the words "sections eighteen and", and insert in lieu thereof the word "section".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 515?

The roll was called, and Assembly amendment to Senate Bill No. 515 concurred in by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, Murphy, Nelson, Slater, Swing, Taylor, Wagy, and West—24.  
NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED THIRTY-ONE.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following:

12. The surveyor, ten dollars per day when engaged in county work. He shall also receive his actual and necessary expenses when at work in the field.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 13 and 14, and insert in lieu thereof the following:

16. License collector. The license collector, such fees as are now or may be hereafter allowed by law.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out lines 15 to 25, inclusive, and insert in lieu thereof the following:

17. Jurors. For attending as a grand juror or a trial juror in both civil and criminal cases, in the superior court, for each day's attendance, three dollars; for



each mile actually traveled one way as such grand juror or trial juror in both civil and criminal cases, in the superior court, under summons or order of the court, twenty-five cents. The county clerk shall certify to the auditor the number of days attendance, and the number of miles traveled by each juror, and the auditor shall then draw his warrant therefor and the treasurer shall pay the same.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 131?

The roll was called, and Assembly amendments to Senate Bill No. 131 concurred in by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Murphy, Nelson, Sharkey, Slater, Wag, and West—22.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools;

Also: Senate Bill No. 493—An act to add a new section to the Political Code to be numbered 1731a, relating to schools;

Also: Senate Bill No. 509—An act to add a new section to the Political Code to be numbered 1607a, relating to the powers and duties of governing boards of school districts;

Also: Senate Bill No. 617—An act to amend section 1 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants and other municipal securities which have become defaced or mutilated," approved February 23, 1907;

Also: Senate Bill No. 721—An act to add a new section to the Political Code, to be numbered 4041, relating to the building and maintenance of permanent county fair buildings by the county board of supervisors.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 469, 493, 509, 617 and 721 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 27—Approving one certain amendment to the charter of the city of Santa Monica, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of January, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER

TWENTY-SEVEN.

Senator Lyon asked for and was granted unanimous consent to take up at this time Assembly Concurrent Resolution No. 27, without reference to committee, for purpose of adoption.

Assembly Concurrent Resolution No. 27—Approving one certain amendment to the charter of the city of Santa Monica, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-seventh day of January, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 27 adopted by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Chamberlin, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Slater, Swing, Waggy, and West—22.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 27 ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 449—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

HANDY, Chairman.

Assembly Bill No. 449 ordered on file for second reading.

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 35—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State and prescribing punishment for the violation of the provisions hereof;

Also: Senate Bill No. 822—An act to provide for the creation of a commission for the study of the problem of public education beyond the elementary grade in California, and providing an appropriation therefor;  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 215—An act to amend sections 2, 7 and 8 and to add a new section to an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, to be numbered 43, relating to the resolution initiating proceedings, to the report of directors, to the purposes of the district and to assessments;

Also: Senate Bill No. 352—An act to amend section 365c of the Political Code, relating to powers of the State Highway Commission;

Also: Senate Bill No. 433—An act to amend section 634 of the Civil Code of the State of California, relating to the issuance of shares and investment certificates of building and loan associations and relating to the creation of a reserve fund, selection of directors and fees chargeable by such associations;

Also: Senate Bill No. 434—An act to amend section 647 of the Civil Code of the State of California, relating to building and loan associations;

Also: Senate Bill No. 436—An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the Building and Loan Commissioner of the State of California in accordance with the provisions of title XVI, part IV, division I of the Civil Code, legal investments for certain purposes;

Also: Senate Bill No. 437—An act to add a new section to the Code of Civil Procedure, to be numbered 1454a, relating to the collection of money by heirs;

Also: Senate Bill No. 438—An act to amend section 641 of the Civil Code, relating to guarantee stock dividends and reserve fund of building and loan associations;

Also: Senate Bill No. 338—An act to amend section 637 of the Civil Code of the State of California, relating to building and loan associations;

Also: Senate Bill No. 432—An act to amend sections 616 and 617 of the Civil Code of the State of California, relating to cemetery corporations;

Also: Senate Bill No. 316—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by amending section 57 thereof, relating to the compensation of directors and other officers;

Also: Senate Bill No. 813—An act to amend section 633 of the Civil Code, relating to building and loan associations;

Also: Senate Bill No. 123—An act to amend section 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provision of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 148—An act to regulate the packing, shipping and sale of Capri figs, vesting the enforcement thereof in the State Director of Agriculture and the county horticultural commissioners, defining their powers and duties hereunder and providing a penalty for violation hereof;

Also: Senate Bill No. 124—An act to amend section 2 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 348—An act to establish standards for field crop products and related agricultural products, providing for the sampling, grading, inspection and certification thereof, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing penalties for violation of the provisions hereof, and repealing the California Grain Standardization Act, approved June 3, 1921; And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of April, 1927, at 2 o'clock and 10 minutes p.m.

JONES, RAY, Chairman.

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 637—An act to release any claim that the State of California may have to certain lands situate in the city of Oakland, State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

TAYLOR, Chairman.

Senate Bill No. 637 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 194—An act declaring portions of the lands conveyed to the city of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, unavailable for navigation and fishery and excluding such portions from use for navigation, commerce and fishing, and granting such portions of said tidelands to the city of San Diego and county of San Diego for certain county and municipal purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

TAYLOR, Chairman.

Assembly Bill No. 194 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 876—An act to add a new section to the Political Code to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the



State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote. Ayes—5; absent—4.

TAYLOR, Chairman.

Senate Bill No. 876 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 928—An act authorizing the State Department of Education to grant a right of way over certain State property located at Mount Shasta—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—13; absent—2.

SHARKEY, Chairman.

Assembly Bill No. 928 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way and easements of the public, including any right of way of which immediate possession and use has been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—15; committee vote: Ayes—13; absent—2.

SHARKEY, Chairman.

Senate Bill No. 510 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in applications therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the Commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies:

Also: Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act

to define the duties of and to license land surveyors," approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale;

Also: Senate Bill No. 12—An act to amend section 487 of the Penal Code, relating to grand larceny;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 256—An act to add a new section to the Penal Code to be numbered 330b, relating to gambling devices;

Also: Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363, providing for the supervision of ports by the Department of Public Works;

Also: Senate Bill No. 788—An act to amend sections 364, 364a, 364b, 364c and 364d of the Political Code and to add new sections to said code to be numbered sections 364e to 364j, inclusive, relating to a Department of Industrial Relations;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

#### MOTION TO WITHDRAW SENATE BILL.

Senator West moved that Senate Bill No. 75 be withdrawn from Committee on Revision of Criminal Law and Procedure and placed on file.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Fellom, West and Lyon upon the motion of Senator West to withdraw Senate Bill No. 75 from Committee on Revision of Criminal Law and Procedure and place on file. Whereupon the Secretary was directed to call the roll.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator West moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Wagy, Weller, and West—35.

The Secretary announced the absentees.

Time, eleven o'clock and fifty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and fifty-two minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator West.

The Secretary was directed to call the roll of the Senators who had not answered to their names upon motion of Senator West to withdraw Senate Bill No. 75 from Committee on Revision of Criminal Law and Procedure.

The roll was called, and the motion to withdraw Senate Bill No. 75 from Committee on Revision of Criminal Law and Procedure lost by the following vote:

AYES—Senators Canepa, Chamberlin, Christian, Fellom, Garrison, Hollister, Hurley, Jones, H. C., Jones, Ray; Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, and West—18.

NOES—Senators Allen, J. M., Baker, Boggs, Breed, Cobb, Crowley, Evans, Gray, Handy, Ingram, Inman, Johnson, Kline, McKinley, Nelson, Slater, Taylor, Wagy, and Weller—19.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED EIGHTY-NINE.

Senator Inman asked for and was granted unanimous consent to take up Senate Bill No. 189 out of the regular order.

Senate Bill No. 189—An act to provide a new section to an act entitled "An act to define trust and to provide for criminal penalties and civil damages, and punishment of corporations, persons, firms, and associations, or persons connected with them, and to promote free competition in commerce and all classes of business in this State," approved March 23, 1907, to be numbered section 1½, relating to trusts and combinations in restraint of trade or commerce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 189 refused passage by the following vote:

AYES—Senators Allen, J. M., Boggs, Cobb, Crowley, Fellom, Garrison, Hollister, Hurley, Johnson, Jones, H. C., Maloney, Mueller, Murphy, Slater, Swing, and Wagy—16.

NOES—Senators Baker, Breed, Canepa, Chamberlin, Christian, Evans, Gray, Handy, Ingram, Inman, Jones, Ray; Kline, Lyon, McKinley, Nelson, Pedrotti, Rush, Taylor, Tubbs, Weller, and West—21.

NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 189 was refused passage.

MOTION TO RECONSIDER.

Senator Inman asked for and was granted unanimous consent to take up at this time his motion given on a previous day to reconsider the vote whereby Senate Bill No. 523 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 523 was passed lost by the following vote:



AYES—Senators Boggs, Canepa, Christian, Cobb, Fellom, Garrison, Hollister, Inman, Jones, H. C., Maloney, Murphy, Wagy, and West—13.

NOES—Senators Allen, J. M., Breed, Chamberlin, Crowley, Evans, Gray, Handy, Hurley, Ingram, Johnson, Lyon, McKinley, Mueller, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, and Weller—20.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 10 was refused adoption was continued until the next legislative day.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Jones, H. C., further consideration of the motion to reconsider the vote whereby Assembly Bill No. 93 was passed was continued until the next legislative day.

#### MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

#### EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

April 6, 1927.

*To the Senate of the State of California.*

Senate Bill No. 323 is herewith returned without my approval.

This bill seeks to change the law relating to the joint investment of funds in membership shares or investment certificates of building and loan associations.

If enacted into law it would do away with certain safeguards provided in subsection 3 of section 13 of the Inheritance Tax Act so far as joint investments in building and loan associations are concerned. The State Controller states that it would thereby clearly obviate the possibility of collecting an inheritance tax in such cases. There undoubtedly was no such intention behind this legislation, but nevertheless I am advised that this would be its effect.

The bill would further make a very definite change in the law with respect to minors. So far as such joint investments in building and loan associations are concerned, it would apparently give minors the same status as adults. I believe it is unwise to give to minors the right and power to create joint interests and to mingle their funds in joint investments with others to the same extent as persons who have attained their majority.

For the foregoing reasons, I am withholding my approval of this bill.

Respectfully submitted.

C. C. YOUNG, Governor.

Message from the Governor ordered on unfinished business file.

Also:

#### EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

April 6, 1927.

*To the Senate of the State of California.*

Senate Bill No. 134 is herewith returned without my approval.

This bill would create a sheriff's special fund in the sum of \$5,000 in counties of the sixth class (Santa Clara) in addition to the funds now provided by law. It would also empower the board of supervisors in that county to transfer to this fund such additional funds as they may deem necessary.

Under section 5 of article II of our constitution, the Legislature has the power to classify counties for certain limited purposes. The subject matter of this bill does not fall within the purposes there enumerated. I am advised that the bill is therefore unconstitutional and consequently am withholding my approval.

Respectfully submitted.

C. C. YOUNG, Governor.

Message from the Governor ordered on unfinished business file.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment

of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores.

AMENDMENT FROM THE FLOOR.

During the second reading of the bill, the following amendment was offered and its adoption moved by Senator Crowley:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, as amended March 8, 1927, strike out the following: "Section 1½ shall read as follows", and insert in lieu thereof the following: "Section 1½ of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California state board of pharmacy," approved March 20, 1905, as amended, is hereby amended to read as follows:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, as amended March 8, 1927, before the word "pharmacies", add the following: "1½".

Amendment adopted.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8, and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "council", and insert in lieu thereof the word "counsel".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, strike out the words "twelve thousand five hundred", and insert in lieu thereof the words "four thousand".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 84—An act appropriating money to pay the claim of the cashier of the Board of State Harbor Commissioners of San Francisco against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "of", strike out the balance of line 1, also strike out the following in line 2: "six dollars and fifty-seven cents (\$1,976.57)", and insert in lieu thereof the following: "two thousand and thirty-nine dollars and ninety-eight cents (\$2,039.98)".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443 and 1760 of the Political Code, relating to education, and making an appropriation therefor.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 3, line 47, of the printed bill, after the word "before", strike out the words "the first day of August", and insert in lieu thereof "the twentieth day of July".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 5, line 19, of the printed bill, after the comma following the word "must", strike out the words "at least fifteen days before the first day of the month in which the supervisors of such county or city and county are required by law to levy the amount of taxes required for county or city and county purposes", and insert in lieu thereof the words "on or before the twentieth day of July".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 5, line 45, of the printed bill, strike out the words "August fifteenth", and insert in lieu thereof "July tenth".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 6, line 15, of the printed bill, after the word "the", following the word "and", strike out the words "fifteenth day of August", and insert in lieu thereof "tenth day of July".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 7, line 4, of the printed bill, after the word "before", strike out the words "the fifteenth day of August", and insert in lieu thereof the words "the twentieth day of July".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 6, line 30, of the printed bill, strike out "August fifteenth", and insert in lieu thereof the words "July twentieth".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 14, line 41, of the printed bill, after the word "the", strike out the words "tenth day of August", and insert in lieu thereof the words "twentieth day of July".

Amendment adopted.



AMENDMENT NUMBER EIGHT.

On page 5, line 9, of the printed bill, strike out "August fifteenth", and insert in lieu thereof the words "July twentieth".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 439—An act to create the State Park Commission; to define its powers and duties; to make an appropriation therefor and to establish a contingent fund and a revolving fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying on of this survey.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 443—An act to amend sections 1, 3, 5, 6, 6a, 7, 8, 9, 11, 12 and 13 of and to add three new sections to be numbered 6h, 6m, and 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the first three lines of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections five and twelve of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, following the second word "Section", strike out the figure "1", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 6 to 22, inclusive, and strike out all of page 2, and lines 1 to 6, inclusive, on page 3.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, at the beginning of line 14, of the printed bill, strike out the words "and all other".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Beginning with page 3, line 16, of the printed bill, strike out all down to and including line 51 on page 10.

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 11, line 1, of the printed bill, strike out "Sec. 12.", and insert in lieu thereof "Sec. 2."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 11, line 11, of the printed bill, following "D. D. S.", insert ", D. D. Sc."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 11, line 19, of the printed bill, beginning with the comma following the word "dentistry", strike out down to and including the comma following the word "therein" in line 21.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 11, line 25, of the printed bill, beginning with the comma following the word "dentistry", strike out all down to and including the word "technician" in line 26.

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 11, lines 31 and 32, of the printed bill, strike out the following: "dental hygiene, dental technology, dental radiography or as apprenticed technicians".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 11, lines 38 and 39, of the printed bill, strike out the following: ", dental hygienists, dental technicians or dental radiographers".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 11, lines 42 and 43, of the printed bill, strike out the following: "dental hygiene, dental technology, or dental radiography".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 11, line 44, of the printed bill, after the word "intent", insert the following: "make or attempt to make, counterfeit or".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 12, lines 3 and 4, of the printed bill, strike out the following: "dental hygiene, dental technology or dental radiography".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 12 of the printed bill, strike out all of lines 10 to 17, inclusive, and insert in lieu thereof the following: "shall be guilty of a felony and upon conviction thereof shall be punished by a fine of not less than one thousand dollars nor more than three thousand dollars, or by imprisonment in the state prison for a term of not less than one year nor more than three years, or by both such fine and imprisonment. Nothing in this".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 281—An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of Cali-

fornia and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be known as section 8h.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 3, line 49, of the printed bill, as amended March 16, 1927, strike out the word "barbitone", and insert in lieu thereof the word "barbatol".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 708—An act to repeal that certain act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicles; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Concurrent Resolution No. 23—Relative to the creation of a committee for the purpose of making a comprehensive study into the subject of grade crossing accidents and delays and reporting thereon to the Legislature of the State of California.

## COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed resolution insert a comma following the word "brotherhoods".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed resolution, strike out the word "and".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed resolution, strike out the period after the word "industries", and insert in lieu thereof a comma and the following words: "the electric lines and motor carriers' association."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed resolution, strike out the word "eight", and insert in lieu thereof the word "ten".

Amendment adopted.

Senate Concurrent Resolution No. 23 read, ordered to print, engrossment, and on file.



Senate Bill No. 429—An act to repeal sections 635*a*, 635*b*, 635*c*, 635*d*, 635*e*, 635*f*, 635*g*, 635*h*, 635*i*, 635*j*, 635*k* and 635*l* of the Political Code.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 840—An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 877—An act to amend section 307 of the Civil Code, relating to corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 590—An act appropriating money to pay the claim of George W. Root against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said Board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 781—An act authorizing the Board of Control to reconvey certain real property to L. B. Collins.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 869—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the Upholstered Furniture Inspection Fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 847—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 319—An act to establish a division of school planning in the State Department of Education and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State park bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act." approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State Commissioner thereof.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, strike out the word "August" after the word "and", and insert in lieu thereof the word "November".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 839—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts, and defining and establishing such districts.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, preceding the word "thirty-third", strike out the comma and insert the word "and".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out the words "and twenty-first".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the figure "99", and insert in lieu thereof the figure "78".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, strike out the word "extraordinary", and insert in lieu thereof the word "regular".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 1, line 20, of the printed bill, strike out the date "November 27, 1911", and insert in lieu thereof "January 3, 1927".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 2, line 5, of the printed bill, following the word "the", insert the following: "fifty-first, fifty-second, fifty-third, fifty-fourth, sixtieth".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 2, line 5, of the printed bill, strike out the words "sixty-fifth, sixty-sixth, sixty-seventh", and insert in lieu thereof "sixty-second".

Amendment adopted.

##### AMENDMENT NUMBER EIGHT.

On page 2, line 6, of the printed bill, strike out the word "and".

Amendment adopted.

##### AMENDMENT NUMBER NINE.

On page 2, line 6, of the printed bill, following the word "seventieth", insert the words "and seventy-first".

Amendment adopted.



AMENDMENT NUMBER TEN.

On page 2, line 7, of the printed amended bill, strike out the figure "90", and insert in lieu thereof the figure "78".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 8, of the printed bill, strike out the word "extraordinary", and insert in lieu thereof the word "regular".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 9, of the printed bill, strike out the date "November 27, 1911", and insert in lieu thereof "January 3, 1927".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, following line 16 of the printed bill, add the following:

SEC. 2. The provisions of this act shall take effect at the same time as an act entitled "An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the state into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act" enacted at the forty-seventh regular session of the Legislature commencing January 3, 1927, and shall not go into effect until or unless the above mentioned act becomes effective.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following resolution was offered:

By Senator Allen, J. M.: Senate Concurrent Resolution No. 26--  
Relating to the observance of American Forest Week, April 24 to April 30, 1927.

UNANIMOUS CONSENT GRANTED.

Senator Allen, J. M., asked for and was granted unanimous consent to take up at this time without reference to committee Senate Concurrent Resolution No. 26 for the purpose of adoption.

SENATE CONCURRENT RESOLUTION No. 26.

Relating to the observance of American Forest Week, April 24 to April 30, 1927.

WHEREAS, The continued prosperity of the State of California is inseparably linked with the protection and wise use of its forest and watershed resources; and

WHEREAS, The President of the United States has by proclamation designated the period April 24 to April 30, 1927, inclusive, as American Forest Week, for the purpose of calling to the attention of all of our people the danger that comes from the neglect and abuse of our forest and watershed resources; and

WHEREAS, Our esteemed Governor, C. C. Young, has recognized the prime importance of forest and watershed protection to California by accepting the chairmanship of the American Forest Week Committee of California; therefore, be it

*Resolved by the Senate, the Assembly concurring,* in recognition of the dependence of the State of California upon the continuance of its forest and watershed resources. That all patriotic citizens be called upon to observe American Forest Week during April 24 to April 30, 1927, by appropriate exercises, to the end that our forests and watershed resources may be better conserved and renewed; and be it further

*Resolved,* That 5000 copies of this resolution be printed for distribution throughout the State, the cost thereof to be payable from the legislative printing appropriation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 26 adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Christian, Crowley, Evans, Garrison, Handy, Hollister, Johnson, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Waggy, and Weller—22.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 26 ordered transmitted to the Assembly.

#### MOTION TO RE-REFER COMMITTEE REPORT.

Senator Evans moved, duly seconded by Senator Slater, that the report submitted by the Committee on Irrigation, signing out Senate Concurrent Resolution No. 21, be re-referred to Committee on Irrigation.

Motion carried, and such was the order.

#### RESOLUTION BY COMMITTEE ON RULES.

The following resolution was offered, and on motion of Senator Breed ordered printed in the Journal:

WHEREAS, The approach of adjournment of the Legislature sine die requires that the time of the Legislature be conserved to the utmost; therefore, be it

*Resolved*, That from and after this date, speeches on the floor of the Senate be limited to ten minutes in length for opening speeches and five minutes for all other speeches. Extensions of time beyond said periods may be granted only by unanimous consent.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Concurrent Resolution No. 17—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

PEDROTTI, Chairman.  
MUELLER.  
KLINE.  
TUBBS.  
CROWLEY.  
LYON.  
MALONEY.

Assembly Concurrent Resolution No. 17 ordered on file.

##### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 860—An act creating the Angeles Forest Game Preserve in the counties of Los Angeles and San Bernardino in the State of California, providing for the prevention of the destruction of wild game within the boundaries thereof and providing penalties therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—11; absent—4.

CHAMBERLIN, Chairman.

Senate Bill No. 860 ordered on file for second reading.

##### ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Manufactures, to which was referred Senate Bill No. 771—An act to prevent unfair discrimination against California manufac-

turers by making it unlawful for any municipality to levy license taxes or fees against such manufacturers that are not levied against nonresident manufacturers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

TUBBS, Chairman.

Senate Bill No. 771 ordered on file for second reading.

#### ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1194—An act to add new sections to article II of chapter III of title I of part III of the Political Code to be numbered 361*e*, 361*f*, and 361*g*, creating in the Department of Agriculture a Division of Land Settlement, defining the powers and duties and providing for the administration thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—12; absent—1.

SWING, Chairman.

Senate Bill No. 1194 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1237—An act to amend section 1928 of the Political Code, relating to the Adjutant General;

Also: Assembly Bill No. 1222—An act to provide for the creation of the board of parole commissioners for each county in this State for the parole of persons confined in city, county, or city and county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto and repealing all acts and parts of acts inconsistent herewith;

Also: Assembly Bill No. 1113—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article XVIII, embracing section 654 to 685, both inclusive, relating to a Department of Finance;

Also: Assembly Bill No. 1119—An act to amend sections 363, 363*a*, 363*b*, 363*c*, 363*d*, 363*e*, 363*f*, 363*g* and 363*h* of the Political Code, relating to the Department of Public Works;

Also: Assembly Bill No. 1160—An act to amend section 3702 of the Political Code, relating to traveling expenses of the State Board of Equalization; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

SWING, Chairman.

Assembly Bills Nos. 1237, 1222, 1113, 1119 and 1160 ordered on file for second reading.

#### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—15; committee vote: Ayes—11; absent—4.

CHAMBERLIN, Chairman.

Senate Bill No. 723 ordered on file for second reading.

#### MOTION BY SENATOR BREED.

Senator Breed moved that on and after this date the Senate convene in the morning at ten o'clock and thirty minutes a.m., that adjournment for lunch be taken at twelve o'clock and thirty minutes p.m. and that the Senate reconvene for afternoon session at one o'clock and thirty minutes p.m.

Motion carried.



## RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Crowley, the President declared the Senate at recess until the hour of one o'clock and thirty minutes p.m.

## RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1158—An act to amend an act entitled "An act approving the report of the California Debris Commission, transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto, to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 605—An act to amend section 16 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, relating to the reporting of contagious diseases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 621—An act to amend sections 9 and 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create

a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to a Division of Cannery Inspection.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, following the comma after the words "fish products", add the following: "meat or meat products, which meat or meat products are not under the inspection of the bureau of animal industry, United States department of agriculture,".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, after the word "cooker", add the following: "or a retort".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, after the word "retorts", add the following: "or pressure cooker".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, strike out the period and insert in lieu thereof a comma and add the following: "meat or meat products, which meat or meat products are not under the inspection of the bureau of animal industry, United States department of agriculture,".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 18, of the printed bill, after the comma following the word "products", add the following: "meat or meat products, which meat or meat products are not under the inspection of the bureau of animal industry, United States department of agriculture,".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 19, of the printed bill, strike out the period and insert in lieu thereof a comma and add the following: "which shall have power to pass upon and determine the qualifications of the applicant for the permit with a view to the preservation of the public health, and which permit when granted shall be revocable by the board whenever in its judgment the public health requires such action."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 25, of the printed bill, after the comma following the words "fish products", add the following: "meat or meat products, which meat or meat products are not under the inspection of the bureau of animal industry, United States department of agriculture,".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, line 37, of the printed bill, after the comma following the words "fish products", add the following: "meat or meat products, which meat or meat products are not under the inspection of the bureau of animal industry, United States department of agriculture,".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 306—An act to be known as the "Pure Milk Law of California," to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, counties and groups of cities and counties to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the payment of a fee to defray the expenses of such approved milk inspection service; to provide for examination, testing, branding and exclusion of tuberculin cattle; to prescribe penalties for violation of the provisions hereof; to repeal an act known as the "Pure Milk Law," approved June 15, 1923, as amended, and all acts or parts of acts inconsistent with the provisions of this act.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 39, of the amended printed bill, after the word "pasteurized", insert the word "market".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 47, of the amended printed bill, strike out the period at the end of the paragraph and insert the following: "; *provided, however,* that the provisions of this paragraph shall not apply to market cream."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 3, line 2, of the amended printed bill, after the word "to", insert the word "market".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 3 of the amended printed bill, strike out lines 11 and 12, and insert in lieu thereof the following:

"(g) The class or grade of all market milk sold, except in bulk to distributors, and the name and".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 4, line 20, of the amended printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 4, line 24, of the amended printed bill, after the word "for", insert the word "market".

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 5, line 2, of the amended printed bill, after the word "not", strike out the word "harbor", and insert in lieu thereof the following: "be afflicted with any communicable disease or in a condition to disseminate".

Amendment adopted.



## AMENDMENT NUMBER EIGHT.

On page 5, line 34, of the amended printed bill, strike out the word "harbor" after the word "not", and insert in lieu thereof the following: "be afflicted with any communicable disease or in a condition to disseminate".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 6, line 12, of the amended printed bill, strike out the word "only", and insert in lieu thereof the following: "; provided, however, that this latter provision shall not apply to Grade B cream."

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 7, line 36, of the amended printed bill, after the word "sell", insert the word "market".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 7, line 37, of the amended printed bill, after the word "sell", insert the word "market".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 7, line 49, of the amended printed bill, after the word "any", insert the word "market".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 6, line 20, of the amended printed bill, after the period insert the following: "Such counties, cities, or cities and counties may contract one with the other for the maintenance by one of them of such milk inspection service and laboratory within the limits of the other and pay a pro rata of the cost thereof from license fees collected for that purpose or from other moneys available for such purposes. It shall be unlawful for any county, city, or city and county to levy and collect a license tax from those who come under the provisions of this act and to pay the same or provide that the same be paid directly to any other county, city, or city and county performing the inspection service under the act as authorized herein."

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 7 of the amended printed bill, between lines 21 and 22, insert a new paragraph as follows:

(e) Any milk delivered by the producer thereof, to be sold as any grade of market milk, defined in section 3 of this act, shall not be degraded or excluded from the market when a score of the dairy on which said milk is produced is below the specified minimum legal requirement unless a copy of said score shall be promptly given to the proprietor or operator of the dairy and the purchaser of the milk produced by said dairy, and until after a period of sixty hours subsequent to a rescore, made after a period of ten days following the previous scoring, shows the score of said dairy to be again below the specified minimum legal requirement, and a copy of such rescore promptly given to the proprietor or operator of said dairy and the purchaser of the milk produced by said dairy. If, during the said sixty-hour period following this said rescoring, a protest is filed with the head of the milk inspection service under whose jurisdiction the milk of such dairy is sold, the milk produced on said dairy shall not be degraded or excluded from the market until after a third score has been made by the said duly authorized representative of said milk inspection service jointly with a duly authorized representative of the department of agriculture of the State of California, who shall concur in said rescore.

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 7, line 22, of the amended printed bill, strike out the paragraph designation "(e)" and insert in lieu thereof the paragraph designation "(f)".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 382—An act to amend sections 10, 11, 17, 20, 22 and 24 of an act entitled "An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation, and distribution of water for the irrigating of lands in such districts for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; for the inclusion therein of irrigation districts, water storage districts, reclamation districts, drainage districts, and other political subdivisions of the State, as constituent districts or units of said water conservation districts and the manner of providing funds and the voting and issuance of bonds by such political subdivisions, to carry out the purposes of this act; and creating a State board to be known as the 'State Irrigation Board,' and defining its powers and duties, and the methods and procedure of exercising such powers and duties," approved June 18, 1923, as amended, relating to organization of water conservation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 128—An act to establish a State park to be known as "Burney Falls State Park," at Burney Falls, near the town of Burney, Shasta County, California, and creating a commission for the administration, improvement and control of said Burney Falls State Park, and to provide for the construction, maintenance and operation of buildings and improvements, and for the conduct and management thereof and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 934—An act to add new sections, to be numbered 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q and 64r, to the California Water Storage District Act, approved June 3, 1921, as amended, relating to the inclusion and exclusion of lands in and from water storage district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 140—An act reserving certain State lands in Del Norte County for park and recreational purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 806—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to the compensation and travel expenses of water master.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 3, line 9, of the printed bill, strike out the word "budget", and insert in lieu thereof the word "statement".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 14, of the printed bill, strike out the word "fifth", and insert in lieu thereof the word "tenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 16, of the printed bill, strike out the word "four-fifths", and insert in lieu thereof the word "nine-tenths".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 21, of the printed bill, strike out the word "any".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 31, of the printed bill, strike out the word "one-fifth", and insert in lieu thereof the word "one-tenth".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 34, of the printed bill, strike out the word "four-fifths", and insert in lieu thereof the word "nine-tenths".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 8, of the printed bill, insert after the word "and" the following words: "the original of each such statement".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 10, of the printed bill, insert after the word "March" the words "of each year".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 15, of the printed bill, insert after the word "March", the following words: "of each year".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 33, of the printed bill, after the comma after the word "made", insert the following words: "such payment shall become delinquent and".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 18, of the printed bill, strike out the word "any".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 24, of the printed bill, strike out the word "district", and insert in lieu thereof the word "service".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 31, of the printed bill, strike out the words "water master district fund", and insert the following words in lieu thereof: "state water master service fund".

Amendment adopted.



## AMENDMENT NUMBER FOURTEEN.

On page 5 of the printed bill, line 34 as printed, but line 35 by actual count, insert after the word "and", and ahead of the words "the state board of control", the following words: "on receipt thereof".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 5 of the printed bill, line 37 as printed, but line 38 by actual count, strike out the words "water master district fund", and in lieu thereof insert the following words: "state water master service fund".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 5 of the printed bill, line 41 as printed, but line 42 by actual count, strike out the words "water master district fund", and in lieu thereof insert the following words: "state water master service fund".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 5 of the printed bill, line 45 as printed, but line 46 by actual count, strike out the words "water master district fund", and in lieu thereof insert the following words: "state water master service fund".

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 5 of the printed bill, line 47 as printed, but line 48 by actual count, strike out the words "they are".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 150—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 159—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code, relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code, relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors, and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 186—An act to amend the Code of Civil Procedure by adding a new section thereto, relating to the expenses of judges of the superior courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 196—An act to amend section 1810*b* of the Code of Civil Procedure, relating to attorney's fees against minor fixed by court; payment of judgments in actions by or on behalf of minors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 372—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 375—An act to amend section 1048 of the Code of Civil Procedure, relating to the consolidation of actions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 376—An act to add a new section to the Code of Civil Procedure, to be numbered 1063, relating to declaratory relief.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 422—An act to amend section 1469 of the Code of Civil Procedure, relating to the administration of estate not exceeding \$2,500 in value.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 493—An act to amend section 1598 of the Code of Civil Procedure, relating to the filing of a petition for executor or administrator to make conveyance or transfer and notice of hearing thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 580—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 581—An act to add a new section to the Code of Civil Procedure to be numbered 379*a*, and relating to the joinder of parties to actions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 582—An act to add a new section to the Code of Civil Procedure to be numbered 379*b*, relating to the parties to actions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 611—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 673—An act to add a new section to the Code of Civil Procedure, to be numbered 983, relating to the burden of proof in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 704—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation

of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith." submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 828—An act to amend section 606 of the Civil Code, providing for the organization of corporations for charitable and eleemosynary purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 844—An act to amend section 19b of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salaries thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with references to such persons and defining such crimes and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 900—An act to amend sections 137 and 140 of the Civil Code, relating to permanent support of wife or husband by the other, as the case may be.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 981—An act to amend section 1723 of the Code of Civil Procedure, relating to establishment of the fact of death.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 983—An act to amend section 1668 of the Code of Civil Procedure, relating to decree to be made after notice.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 984—An act to amend section 1373 of the Code of Civil Procedure, relating to setting day for hearing petition for letters of administration and for notice of application therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 985—An act to amend section 1465a of the Code of Civil Procedure, relating to notice of hearing petition and to whom sent.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 986—An act to amend section 1552 of the Code of Civil Procedure, relating to return of proceedings and notice of hearing of return of proceedings after sale of real estate.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 377—An act to amend section 378 of the Code of Civil Procedure, relating to joinder of parties plaintiff.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "common".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "arise", insert the following words: "which are common to all the parties to the action".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 378—An act to add a new section to the Code of Civil Procedure, to be numbered 379c, relating to the joinder of parties defendant.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

In line 5 of the printed bill, strike out the word "to" following the word "defendants", and insert in lieu thereof the word "with".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 439—An act to add to the Political Code a new section, to be numbered section 2323, relating to noxious weeds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 866—An act to amend section 2322c of the Political Code, relating to county horticultural commissioners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 930—An act to amend sections 2, 3, 4, 5 and 6 of an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921, as amended, approved May 26, 1923, as amended, approved April 10, 1925, as amended, relating to apple packing and grading.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 264—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling,

receiving or selling of farm products, and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses, and fix the penalties therefor, and to repeal all conflicting acts or parts of acts.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, as amended in the Assembly on March 17, 1927, strike out the words "except milk and milk products", and in line 15, following the word "timber", strike out the balance of the line, and insert in lieu thereof the following: "and timber products, milk and milk products, hay, field grains and dried beans."

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On page 6, line 14, of the printed bill, as amended March 17, 1927, after the word "sold", insert the following: "and the name and address of the purchaser".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 305—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17 and 19 of an act known as the General Dairy Law of California," approved June 15, 1923, as amended, relating to cheese, ice cream, other miscellaneous dairy products, adulterants, dairy plant sanitation pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended March 23, 1927, after the word "labeling", insert a comma.

**Amendment adopted.**

##### AMENDMENT NUMBER TWO.

On page 4, line 11, of the printed bill, as amended March 23, 1927, after the word "custard", strike out the comma.

**Amendment adopted.**

##### AMENDMENT NUMBER THREE.

On page 10, line 8, of the printed bill, as amended March 23, 1927, after the words "ice cream", insert a comma.

**Amendment adopted.**

##### AMENDMENT NUMBER FOUR.

On page 10, line 32, of the printed bill, as amended March 23, 1927, after the word "dollars", strike out the period and insert in lieu thereof a comma and the following: "except for ice cream, ice milk, and all similar frozen products which shall be as hereinbefore provided."

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 436—An act to provide for the establishment of weed free areas, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners and defining their powers and duties in relation hereto, providing penalties for violation hereof and repealing "An act to prevent the propagation of noxious weeds," approved June 3, 1921.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 10 and 11, of the printed bill, strike out the words "jack bar", and insert in lieu thereof the words "spiny dock".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, after the word "Alhagi", insert the word "camelorum".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, correct the spelling of the word "Gaura".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, begin the word "Heliotropium" with a capital H.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 10, of the printed bill, correct the spelling of the word "cardoon".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill, strike out the word "which", and insert in lieu thereof the word "said".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 344—An act to amend section 4268 of the Political Code, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 344—An act to amend section 4268 of the Political Code and to add a new section thereto, to be numbered 4268a, relating to the salaries, fees and expenses of officers and the fees and mileage of jurors in counties of the thirty-ninth class.



ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FORTY-FOUR.  
AMENDMENT NUMBER ONE.

Strike out the second and third lines of the title of the printed bill, and insert in lieu thereof the following: "of the Political Code,".

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, as amended, after the word "annum" strike out the period, insert a semicolon and add the following: "he may also appoint one deputy assessor for four months of each year at a salary of one hundred twenty-five dollars per month, and one deputy assessor for five months of each year at a salary of one hundred twenty-five dollars per month. All fees or commissions which may heretofore have been collected, or which may hereafter be collected, under the provisions of law and which have heretofore been allowed the county assessor for his own benefit shall hereafter be paid to the county treasurer to be deposited in the general fund of the county. The provisions of this subsection relating to the appointment of the two deputy assessors by the county assessor do not increase the compensation of a county officer and shall take effect ninety-one days after the final adjournment of the 1927 session of the Legislature."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended, strike out lines 21 and 22 and insert in lieu thereof the following:

12. The surveyor fifteen dollars per day when engaged in county work. He shall also receive his actual and necessary expenses when at work in the field.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 344?

The roll was called, and Assembly amendments to Senate Bill No. 344 concurred in by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Christian, Cobb, Evans, Gray, Handy, Ingram, Johnson, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and West—23.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300) for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Christian, Cobb, Evans, Gray, Handy, Ingram, Inman, Johnson, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and West—22.

NOES—None.

Also:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of five hundred fifty-two dollars and sixty-nine cents (\$552.69) to pay the following bills:

State Supply Dept., Supplies furnished to Senate.....	\$344 86
B. T. Brilliant, Repairs to Senate clock.....	20 00
H. S. Crocker Co., Stationery and desk rent.....	51 56
Pac. Tel. & Tel. Co., Telephone rentals and service.....	72 60
Cascade Towel Supply Co., Towel service.....	28 05
Purnell Stationery Co., Stationery.....	18 60
Postal Telegraph Co., Telegraphic service.....	49
Western Union Co., Telegraphic service.....	16 53

Total.....\$552 69

The same to be payable out of the contingent fund of the Senate and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Breed, Christian, Cobb, Evans, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Waggy, and West—22.

NOES—None.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for the remainder of this day.

THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 788—An act to amend sections 364, 364a, 364b, 364c and 364d of the Political Code and to add new sections to said code to be numbered sections 364e to 364j, inclusive, relating to a Department of Industrial Relations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 788 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Gray, Handy, Ingram, Inman, Johnson, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### LEAVES OF ABSENCE.

Senator Allen, N. M., was, on motion of Senator Waggy, granted leave of absence for this day.

Senator Garrison was, on motion of Senator Inman, granted leave of absence for the remainder of this week.

Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of an assistant and deputies in such office, by fixing the salaries of such assistant and of the chief deputy; and providing for the manner of fixing of the salaries of the additional deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 527 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Gray, Handy, Ingram, Johnson, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, fixing the salaries of the clerks and providing the manner of fixing the salaries of the phonographic reporter, the stenographers and the service agent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 528 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Gray, Handy, Ingram, Inman, Johnson, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and West—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



## PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and ten minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

## MINUTE CLERK HAROLD J. POWERS AT THE DESK.

Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 298 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Maloney, McKinley, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 299—An act to amend sections 1830, 1836 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 299 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Slater, Tubbs, Wagy, and Weller—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 300 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## SENATOR NELSON IN THE CHAIR.

At two o'clock and twenty minutes p.m., Senator Nelson of the First Senatorial District was called to the chair.

Senate Bill No. 256—An act to amend section 330*a* of the Penal Code, relating to gambling devices.

On motion of Senator Cobb, Senate Bill No. 256 was passed on file, to retain its place on file.

SPECIAL ORDER.

Senator Cobb moved that Senate Bill No. 256 be made a special order for the seventh day of April, 1927, at eleven o'clock a.m.

Motion carried.

Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 132 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and forty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

SENATOR NELSON IN THE CHAIR.

At three o'clock and fifty minutes p.m., Senator Nelson of the First Senatorial District was called to the chair.

Senate Bill No. 800—An act to amend section 364*d* of the Political Code, relating to the location of the offices of the Department of Labor and Industrial Relations.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Slater, Swing, Tubbs, Waggy, Weller, and West—32.

The Secretary announced the absentees.

Time, three o'clock and two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 234—An act to amend an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualify applicants, with the designation of certified public accounts; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, by amending subdivision III of section 2, by providing that no person shall be compelled to work or be employed, at any time, in the office of a certified public accountant as a prerequisite to taking such examination.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 passed by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Chamberlin, Christian, Evans, Fellom, Gray, Handy, Hollister, Jones, H. C., Kline, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, and West—24.

NOES—Senator Tubbs—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 19 of article VI thereof, relating to powers of judges in charging juries.

Constitutional amendment read.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the reading of the amendment, Senator Baker moved to refer Senate Constitutional Amendment No. 8 to Senator McKinley, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1 of the printed amendment, strike out lines 8 and 9, and insert in lieu thereof the following: "Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law, and in felony cases may comment on the evidence."

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Constitutional Amendment No. 8, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Special Committee.

Report read, and on motion of Senator Baker adopted.

Senate Constitutional Amendment No. 8 ordered to print and re-engrossment.

## FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twenty-three minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Inman.

The Secretary was directed to call the roll on the passage of Senate Bill No. 800.

The roll was called, and Senate Bill No. 800 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—30.

NOES—Senators Canepa, Chamberlin, Lyon, and West—4.

## NOTICE OF MOTION TO RECONSIDER.

Senator Tubbs gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 800 was passed.

Senate Bill No. 542—An act to amend an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State and for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors, whether in county jails or in city prisons, by amending said act so as to provide that in cities where a municipal court has been established, the board of parole commissioners for such municipal court shall consist of the presiding judge of said court, the chief of police and the prosecuting attorney of such city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 542 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Taylor, Tubbs, Waggy, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 851—An act to validate the organization and existence of county water districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 851 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in application therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the Commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 44 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 870—An act to amend section 2484 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 870 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Christian, Cobb, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 874 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Christian, Cobb, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wag, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 854—An act to add two new sections to be numbered 24½ and 50½ to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities.

On motion of Senator Lyon, Senate Bill No. 854 was re-referred to Committee on Public Utilities.

Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in, and when and how it may be withdrawn.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 21 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Wag, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 558—An act to amend section 4263 of the Political Code, relating to the salaries, fees and expenses of the county officers of counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill,



The roll was called, and Assembly Bill No. 558 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Taylor, Tubbs, Waggy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 566—An act to amend section 19.41 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to salary of probation officer in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 566 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Rush, Slater, Taylor, Tubbs, Waggy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATOR CANEPA IN THE CHAIR.

At three o'clock and forty-one minutes p.m., Senator Canepa of the Eighteenth Senatorial District was called to the chair.

#### ASSEMBLY CONCURRENT RESOLUTION No. 19.

Providing for the creation of a joint committee of the Senate and Assembly to investigate traffic conditions in the State of California and the question of safety and prevention of accidents in relation thereto; to prepare and make recommendations concerning changes in existing laws, and the enactment and/or enforcement of laws relating to the use and operation of vehicles on the public highways, and to prepare and submit with supporting facts, ascertained, a report as to the advisability of the adoption of a law requiring financial security on the part of persons operating motor vehicles upon the highways of this State and making appropriation to meet the expenses of said committee necessarily incurred in said work.

WHEREAS, There has been a great increase in the number of motor vehicles used and operated upon the highways of the State of California resulting in an abnormal increase in the number of accidents resulting in injury to persons and property; and

WHEREAS, No adequate method seems to have been devised for the enforcement of the safety provision of the existing laws relating to the use and operation of motor vehicles on the highway; and

WHEREAS, Any revision of the laws relating to such use and operation of such vehicles should involve consideration of the advisability of enacting a law requiring owners or operators of such vehicles to give financial security for the satisfaction of judgments arising out of the use and operation of such vehicles. Now, therefore, be it

*Resolved by the Assembly of the State of California, the Senate concurring.* That there is hereby created a joint committee of the Assembly and Senate to consist of three members of the Assembly to be appointed by the Speaker of the Assembly, one of whom shall be the Speaker of the Assembly and three members of the Senate to be appointed by the President of the Senate, one of whom may be the President of the Senate.

It will be the duty of said committee to investigate the adequacy of the facilities for the enforcement of existing laws relating to the use and operation of vehicles on the highways of this State, and the advisability of establishing some system of enforcement of all laws relating to the safe operation of such vehicles, and to make recommendations concerning the advisability of amendments to existing laws, if in the discretion of the committee deemed necessary, and, if the committee reports in favor of the adoption of any specific law, it should include in its report or plan recommended the measures which in its judgment should be enacted.

It shall also be the duty of said committee to study the advisability of requiring owners or operators of motor vehicles on the public highways to give some form of security for the payment of judgments, for which said owner or operator may be liable, arising out of the use and operation of such vehicles on the public highways. In making this study the said committee shall carefully consider the laws and systems enacted in other states and countries, and the effect that any such systems would have in the State of California on account of the unusual conditions arising in this State due to many thousands of visitors coming into this State every year by means of motor vehicle transportation. Said committee is to make its report to the Legislature at its next session, and for the purpose of studying the questions involved and the preparation of its report, it shall be given the assistance of the Chief of the Division of Motor Vehicles and shall have the right to call for any statistics or available data of said division.

The members of said committee shall receive no compensation for such services other than their official salaries, but shall be reimbursed for their actual expenses necessarily incurred hereunder not exceeding the amount hereinafter specified. Such committee is hereby authorized to employ competent clerical or other help to assist in the preparation and compiling of all data ascertained, including the making of the final report. The said committee may also employ an executive secretary, whose duties shall be to work under the direction and control of said committee, and to that end the said committee may send said executive secretary to any state of the Union to make a first-hand investigation of conditions there. The said committee shall be provided with quarters in the State building at San Francisco, if such quarters are available, but if said quarters are not available, said committee may procure quarters in the city of San Francisco for its headquarters.

The expense of such clerical and other help and of the executive secretary and of such quarters, and for other necessary expenses of the committee, shall be passed upon and fixed by the committee subject, however, that the total of said expenses and costs shall not exceed the amount hereinafter specified.

The expenses thus incurred by said committee under the authority hereof shall be payable out of the moneys heretofore or hereafter appropriated for the contingent expenses for the Senate and Assembly at this session of the Legislature, payable one-half from the contingent fund of the Senate and one-half from the contingent fund of the Assembly, but not exceeding the sum of seven thousand five hundred dollars in all, which sum, or so much thereof as may be necessary, so composed, is hereby set apart, reserved and appropriated out of said respective contingent funds for the purposes aforesaid to be disbursed from time to time by Controllers' warrants to be drawn against said contingent funds upon the written orders of the chairman of said joint committee. And be it further

*Resolved*, That the said committee be instructed to have prepared its report not later than the first day of December, A. D., 1928, and that a copy of said report be not later than said date transmitted to the Governor of the State in order that he may make such comment thereon as he may deem appropriate to the Legislature at its next ensuing session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Rush, Slater, Taylor, Tubbs, Waggy, and Weller—27.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 19 ordered transmitted to the Assembly.

Assembly Bill No. 318—An act to amend section 1457 of the Penal Code, relating to the disposition of fine.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 318 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C.,

Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Rush, Slater, Taylor, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 319—An act to amend section 1570 of the Penal Code, relating to the disposition of fine.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 319 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Rush, Slater, Swing, Taylor, Wagy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 403—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution, so as to give wage claimants the right to levy execution on one-half of the wages due a judgment debtor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 403 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Slater, Swing, Taylor, Wagy, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 385—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1893, as amended, relating to the powers of trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 385 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 257—An act to amend sections 1457, 1570 and 1061 of the Penal Code of the State of California, relating to disposition of fines.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 257 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 592—An act to amend an act entitled “An act to enforce the educational rights of children and providing penalties for the violation of this act,” approved March 24, 1903, as amended, relating to the disability of children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 592 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 819—An act to add three new sections to the Political Code, to be numbered 1780, 1620a and 1543c, providing for the cooperative purchase of standard school supplies and equipment by school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 819 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Waggy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 88—An act to amend section 1094 of the Political Code, relating to registration of electors.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones, H. C., moved to refer Senate Bill No. 88 to Senator Chamberlin, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

Strike out all of section 4 of the printed bill as amended.

##### AMENDMENT NUMBER TWO.

On page 5, line 39, of the printed bill as amended, strike out “Sec. 5”, and insert in lieu thereof “Sec. 4.”

## AMENDMENT NUMBER THREE.

On page 7, line 5, of the printed bill as amended, strike out "Sec. 6", and insert in lieu thereof "Sec. 5."

## AMENDMENT NUMBER FOUR.

On page 7, line 32, of the printed bill as amended, strike out "Sec. 7", and insert in lieu thereof "Sec. 6."

## AMENDMENT NUMBER FIVE.

On page 7, line 44, of the printed bill as amended, strike out "Sec. 8", and insert in lieu thereof "Sec. 7."

## AMENDMENT NUMBER SIX.

On page 8, line 10, of the printed bill as amended, strike out "Sec. 9", and insert in lieu thereof "Sec. 8."

## AMENDMENT NUMBER SEVEN.

On page 8, line 47, of the printed bill as amended, strike out "Sec. 10", and insert in lieu thereof "Sec. 9."

## AMENDMENT NUMBER EIGHT.

On page 9, line 37, of the printed bill as amended, strike out "Sec. 11", and insert in lieu thereof "Sec. 10."

## AMENDMENT NUMBER NINE.

On page 10, line 22, of the printed bill as amended, strike out "Sec. 12", and insert in lieu thereof "Sec. 11."

## AMENDMENT NUMBER TEN.

On page 11, line 2, of the printed bill as amended, strike out "Sec. 13", and insert in lieu thereof "Sec. 12."

## AMENDMENT NUMBER ELEVEN.

On page 11, line 4, of the printed bill as amended, strike out "Sec. 14", and insert in lieu thereof "Sec. 13."

## AMENDMENT NUMBER TWELVE.

On page 11, line 29, of the printed bill as amended, strike out "Sec. 15", and insert in lieu thereof "Sec. 14."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 88, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHAMBERLIN, Special Committee.

Report read, and on motion of Senator Jones, H. C., adopted.

Bill ordered to print and re-engrossment.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 708—An act to repeal that certain act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicles; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925;

Also: Senate Bill No. 429—An act to repeal sections 635a, 635b, 635c, 635d, 635e, 635f, 635g, 635h, 635i, 635j, 635k and 635l of the Political Code;

Also: Senate Bill No. 840—An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America;

Also: Senate Bill No. 877—An act to amend section 307 of the Civil Code, relating to corporations;

Also: Senate Bill No. 590—An act appropriating money to pay the claim of George W. Root against the State of California;

Also: Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office;

Also: Senate Bill No. 781—An act authorizing the Board of Control to reconvey certain real property to L. B. Collins;

Also: Senate Bill No. 869—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner;

Also: Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the Upholstered Furniture Inspection fund;

Also: Senate Bill No. 847—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista;

Also: Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 244—An act to amend sections 2 and 224 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts', approved May 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts one and four and one-half;

Also: Senate Bill No. 245—An act to amend section 626 of the Penal Code, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—11; absent—4.

CHAMBERLIN, Chairman.

Senate Bills Nos. 244 and 245 ordered on file for second reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area;

Also: Senate Bill No. 277—An act to amend an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof and for the districting, governing and municipal control of such annexed territory," approved June 11, 1913, as amended, by amending section 9 of said act to provide for the preservation of the status of special improvement proceedings;

Also: Senate Bill No. 297—An act to amend sections 7 and 9 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect, and enforcement of such bonds," approved April 27, 1911, as amended.

ARTHUR A. OHNIMUS, Chief, Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 558, 277 and 297 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 27—An act to amend section 634 of the Penal Code, relative to the protection of fish and game;



Also: Assembly Bill No. 660—An act to amend section 628f of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 661—An act to regulate the sale and issuance of licenses to take Pismo clams for purposes other than for sale or profit in order to provide revenue therefrom for the preservation, protection and restoration of Pismo clams, and to provide penalties for the violation of this act;

Also: Assembly Bill No. 990—An act to amend sections 1631 and 1633 of the Code of Civil Procedure, relating to accounts of executors and administrators;

Also: Assembly Bill No. 1137—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers;

Also: Assembly Bill No. 1125—An act to amend section 602b of the Political Code, relating to compensation insurance;

Also: Assembly Bill No. 839—An act to amend sections 2 and 9 of an act entitled "An act regulating the sanitary conditions of bakeries, prescribing conditions connected with the manufacture and sale of bakery products, and fixing penalties for violation of the provisions thereof," approved June 2, 1921;

Also: Assembly Bill No. 1075—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirtieth class;

Also: Assembly Bill No. 609—An act to amend section 3773 of the Political Code, relating to land sold for taxes, and disposition of money received.

ARTHUR A. OLLIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 27, 660 and 661 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 990 and 1137 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1125 read first time, and referred to Committee on Insurance.

Assembly Bill No. 839 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1075 read first time, and referred to Committee on County Government.

Assembly Bill No. 609 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 623—An act to provide for the organization and government of public park districts;

Also: Assembly Bill No. 610—An act to amend section 3816 of the Political Code, relating to the distribution of redemption moneys;

Also: Assembly Bill No. 212—An act requiring persons engaged in the business of cleaning, tailoring, or dyeing clothing to insure property coming into their possession against loss;

Also: Assembly Bill No. 1247—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the apportionments of cost of grade separations;

Also: Assembly Bill No. 410—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, relating to the abolishing of "Sacramento-San Joaquin Drainage District fund, Sutter-Butte By-Pass assessment

number six emergency fund" and providing that the moneys in said fund shall be used, expended and disbursed in accordance with, pursuant to and for the purposes set forth in chapter DLVI of the Statutes of the State of California for the legislative session of the year 1919, directing the State Controller to draw his warrant and make all necessary transfers and entries concerning the moneys in said fund, directing the State Treasurer to pay the warrant and repealing all acts and parts of acts in conflict therewith:

Also: Assembly Bill No. 1120—An act to amend sections 1517, 1518, 1519, 1519a, 1520 and 1521 of the Political Code, relating to State educational offices.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 623 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 610 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 212 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1247 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 410 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1120 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article IV thereof, relating to State aid to certain physically handicapped persons.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Constitutional Amendment No. 31 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED SEVENTY-EIGHT.

## AMENDMENT NUMBER ONE.

That in line 10, page 1, of said printed bill following the word "contract" there be inserted the following: "involving an expenditure in excess of one hundred dollars".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 278?

The roll was called, and Assembly amendment to Senate Bill No. 278 concurred in by the following vote:

AYES—Senators Allen J. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Evans, Fellom, Gray, Handy, Hollister, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Sharkey, Slater, Swing, Taylor, Tubbs, Wag, and Weller—25.

NOES—None.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 439—An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and revolving fund;

Also: Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying on of this survey and repealing an act entitled "An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act," approved May 29, 1923;

Also: Senate Bill No. 319—An act to add a new section to article II of chapter III of title I of part III of the Political Code, to be numbered 362g, relating to the establishment of a division of school planning in the State Department of Education and making an appropriation therefor;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

## ADJOURNMENT.

At four o'clock and nine minutes p.m., on motion of Senator Breed, the presiding Senator declared the Senate adjourned until ten o'clock and thirty minutes a.m., Thursday, April 7, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, April 7, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.



## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Taylor, Tubbs, Wagdy, Weller, and West—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 6, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

Senator Garrison was, on motion of Senator Mueller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Leroy Dixon of Los Angeles, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. R. C. Gruwell and son of Stockton, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the Lincoln School at Elverta, Sacramento County, Ivy Tregonis, principal and pupils of the eighth grade as follows: Jane Anderson, Edmund Bergeraine, Pauline Hayden, Hazel Bjorensen, Edna Bjorensen and Leona Chaffin.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to the Woods School of Woodbridge, San Joaquin County, California, William E. Owen, principal, and pupils as follows: Ruth Atwell, Marguerite Caple, Ralphine Gordon, Malcolm Graham, Isami Kala, Elsie Palmer, Evelyn Roseberry, Eunice Allington, Nina Arnolfo, Gladys Blakesley, Roy Forsythe, Sarah Heib, Peggy Howard, Mildred Judge, Christopher Manna, Allene Mora, Gladys Marke, Ella Strother, Bonnie Yenglin, Annie Grisbrecht and Kathryn Graham, and teachers, Mrs. A. Roseberry and Mrs. C. Rutledge.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Ralph E. Fry; Miss Cora E. Fraser, principal Elmira School; R. E. Fry, Mrs. W. J. Edwards, W. J. Edwards, and pupils as follows: Martha Brackett, Carolyn Fry, Dorothy Shubin, Margaret Edwards, Theo. S. Pedersen, Bernard Edwards, Teddy Paludan, Merwin Barnes, Earl Pedersen and Ralph Edward Fry.

## REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

## ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Bill No. 1215—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3; absent—2.

McKINLEY, Vice Chairman.

Assembly Bill No. 1215 ordered on file for second reading.

## CONSIDERATION OF DAILY FILE.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 637—An act to release any claim that the State of California may have to certain lands situate in the city of Oakland, State of California.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the entire title, and insert in lieu thereof a new title as follows:

An act declaring that certain lands situate in the city of Oakland, county of Alameda, State of California, are not tide lands and releasing any claim that the State of California may have in and to said lands.

## Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines one to eighteen inclusive (all of section 1), and substitute in lieu thereof the following:

SECTION 1. Whereas the real property hereinafter mentioned was segregated and separated from the tide lands and water front of the city of Oakland in 1869, and ever since said year has been continuously separated and segregated from such water front by streets and railroads and during said period has not been and is not now useful for the purposes incidental to or in furtherance of commerce and navigation; and

Whereas since 1869 said real property has been neither salt marsh nor tide lands, nor subject to the public easement for commerce and navigation over such lands; and

Whereas the Larue Wharf and Warehouse Company, a corporation, and its predecessors in title have been in the exclusive and adverse possession of said property and have paid all taxes and street assessments thereon since 1869; and

Whereas the State of California did in 1911 grant to the city of Oakland all salt marsh or tide lands lying within the exterior boundary of said real property, or adjacent thereto; and

Whereas judgment has been duly rendered in the superior court of the State of California in and for the county of Alameda in that certain action entitled Larue Wharf and Warehouse Company, a corporation, vs. Alexander G. Abell, City of Oakland, a municipal corporation, et al., No. 78613 (which judgment was filed in said court on March 7, 1927, is of record in the office of the county clerk of said county in volume 165 of judgments, page 292) by which judgment the title to said real property was quieted in favor of said Larue Wharf and Warehouse Company, a corporation, and against said city of Oakland, and

Whereas the superior court in said action did find "that it is not a fact that defendant, city of Oakland, is the owner or that the people of the State of California are the owners of said real property, or any part thereof, or that said real property is salt marsh or tide lands or has been salt marsh or tide lands at any time during the last twenty years \* \* \* or fronts on the waters of a harbor or estuary used for the purpose of navigation or otherwise, or has fronted on such harbor or estuary at any time during the last seventy years."

Therefore, the State of California hereby releases to the Larue Wharf and Warehouse Company, a corporation, any claim or claims it may have in or to the real property described in said judgment.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 876 - An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or counties or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in carrying out of such acquisitions, work and improvements.

**COMMITTEE AMENDMENTS.**

During the second reading of the bill, the following committee amendments were offered:

**AMENDMENT NUMBER ONE.**

In the printed bill, as amended in the Senate March 24, 1927, and previously amended in the Senate March 17, 1927, strike out the word "ordinance", and substitute the word "resolution" in eighty-three places, as follows, to wit:

On page 5, line 1; on page 5, line 14; on page 5, line 52; on page 6, line 28; on page 7, line 21; on page 7, line 25; on page 7, line 28; on page 7, line 33; on page 7, line 43; on page 7, line 50; on page 8, line 1; on page 8, line 10; on page 8, line 13; on page 8, line 33; on page 8, line 50; on page 9, line 2; on page 9, line 24; on page 10, line 1; on page 10, line 14; on page 10, line 19; on page 10, line 24; on page 10, line 38; on page 10, line 39; on page 10, line 41; on page 11, line 2; on page 11, lines 16 and 17; on page 11, line 22; on page 12, line 16; on page 12, lines 23 and 24; on page 12, line 40; on page 12, line 45; on page 13, line 8; on page 13, line 10; on page 13, line 13; on page 13, line 24; on page 13,



line 39; on page 14, line 9; on page 14, line 10; on page 14, line 45; one page 15, line 1; on page 15, line 2; on page 15, line 3; on page 15, line 4; on page 15, line 7; on page 15, line 8; on page 15, line 13; on page 15, line 15; on page 15, line 19; on page 16, line 7; on page 16, line 8; on page 16, line 46; on page 17, line 12; on page 17, line 13; on page 17, line 16; on page 17, line 18; on page 18, line 24; on page 18, lines 47 and 48; on page 18, line 52; on page 19, line 36; on page 21, line 30; on page 23, line 50; on page 25, line 10; on page 25, line 11; on page 30, line 45; on page 30, line 49; on page 30, line 52; on page 31, line 2; on page 33, lines 6 and 7; on page 33, lines 37 and 38; on page 33, line 51; on page 34, line 1; on page 37, line 45; on page 38, line 15; on page 39, line 44; on page 40, line 40; on page 41, line 18; on page 46, line 3; on page 46, line 9; on page 46, line 17; on page 48, line 48; on page 49, line 10; on page 50, line 22.

Amendment adopted.

AMENDMENT NUMBER TWO.

In the printed bill, as amended in the Senate March 17, 1927, and amended in the Senate March 24, 1927, in five places strike out the word "an", and substitute the word "a", as follows, to wit:

On page 6, line 27; on page 7, line 33; on page 15, line 3; on page 25, line 10; on page 50, line 22.

Amendment adopted.

AMENDMENT NUMBER THREE.

In the printed bill, as amended in the Senate March 17, 1927, and amended in the Senate March 24, 1927, on page 10, line 26, strike out the word "ordinance", and substitute the words "said resolution".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 31 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, in lines 7 and 8, strike out the words "ordinance and resolution", and insert in lieu the word "resolutions".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 45 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, at the end of line 3, insert the word "ordinance".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 45 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, at the end of line 9, insert the word "ordinance".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 28 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out all of lines 39 to 45, both inclusive.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 20 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out all of subsection 6, and insert in lieu the following:

Subsection 6. The legislative body may after adoption of the resolution of instruction as provided in subsection 2 of this section at any time by resolution order the sale of any part of said bonds. Upon receipt of such an order certified by the clerk of said body, the treasurer shall offer for sale the amount of bonds ordered to be sold, one-half thereof to be dated the second day of January last preceding the date of sale of said bonds and one-half to be dated the second day of July last preceding the date of sale of said bonds. The said bonds shall be sold after advertisement for sealed bids which advertisement shall be published by at least two insertions.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 20 of the printed bill, as amended in the Senate March 17, 1927, and amended in the Senate March 24, 1927, beginning with line 38, strike out all down to and including line 45, and substitute in lieu the following:

Subsection 7. The basis of bidding at the sale shall be cash on delivery. No bid less than par shall be accepted. All bids may be rejected. No bids shall be considered unless accompanied by certified check in favor of the treasurer for ten per cent of the amount of said bid. Any bidder may bid on the bonds to bear any rate of interest named in his bid not exceeding seven per cent per annum, together with any cash premium offered by said bidder. The bonds if sold shall be sold to the bidder who offers to take said bonds on the lowest yield basis premium considered. The certified checks of all others than the successful bidder, shall be immediately returned to them; that of the successful bidder shall be retained and in case of his failure to take and pay for the bonds within three days after notice from the treasurer that the bonds are ready for delivery said check shall be cashed by said treasurer and the amount thereof credited to the interest and sinking fund of the district and the bonds again advertised for sale.

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 21, line 8, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the following: "Subsection 8", and insert in lieu "Section 13".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 21, line 23, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the following: "Sec. 13".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 21 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, following line 7, insert a new subsection as follows:

Subsection 8. It shall be the duty of the legislative body conducting the proceedings to order the sale of sufficient bonds in ample time so that the proceeds from such sale will be available to make payments as they become due on obligations of the district, particularly the progress payments and final payment due to the contractor; and in the event that at any sale of said bonds pursuant to such an order there should be no bidder and hence there should be no funds available to pay any payment due any creditor of said district such creditor may in writing demand that the treasurer offer for sale an amount of said bonds such that the par value thereof shall equal, within one hundred dollars, the amount due the said creditor. The treasurer shall within ten days of the receipt of said written demand offer said amount of bonds for sale. At such sale the creditor may bid for said bonds without accompanying his bid with the otherwise required certified check and if he be the successful bidder at said sale his warrant for payment of the amount due him shall be accepted as cash on account of payment for said bonds.

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 30, line 12, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the word "accepting", and substitute in lieu the following: "resolution accepting the work,".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 36, line 2, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the word "January", and leave in lieu thereof a blank.

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 39 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, following line 25, insert the following:

Subsection 1. At any time four years or more after the date of any bonds of any district organized under the provisions of this act the legislative body which conducted

the proceedings may by resolution direct the treasurer to prepare bonds to be sold for the purpose of refunding any one or more series of said bonds of said district to be designated in said resolution and thereafter upon order of said legislative body the treasurer shall offer for sale and sell said bonds as directed by said legislative body; *provided, however*, that none of such refunding bonds shall be sold unless the sale of same at the price bid will result in a saving to the district in net cost taking into consideration the five per cent bonus to be paid for calling the bonds to be refunded.

The procedure for the sale of said bonds shall in every particular be the same as the procedure for the original sale of the bonds; and the bonds sold shall be of the same form as the original bonds. The coupon first to be paid shall be for the interest of a six months period beginning January 2d, following the date of sale. The bonds shall exactly correspond in date, series, consecutive number, amounts, and date of maturity to the bonds proposed to be retired or called with the funds derived from their sale; except that such additional bonds as are necessary to cover the five per cent bonus required to be paid to call the bonds to be refunded shall be given consecutive numbers following those of the bonds to be called. The proceeds of any sale of said bonds shall be credited to the interest and sinking fund of the district and shall be used for the purpose of refunding the said bonds of said district. The call of said bonds to be made on January second following the said sale.

#### Amendment adopted.

##### AMENDMENT NUMBER SIXTEEN.

On page 9, lines 26 and 27, of the printed bill, as amended by the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the words "and accrued interest".

#### Amendment adopted.

##### AMENDMENT NUMBER SEVENTEEN.

On page 37, line 10, of the printed bill, as amended by the Senate March 17, 1927, and as amended by the Senate March 24, 1927, after the word "into", insert the word "twice".

#### Amendment adopted.

##### AMENDMENT NUMBER EIGHTEEN.

On page 37, line 24, of the printed bill, as amended by the Senate March 17, 1927, and as amended by the Senate March 24, 1927, after the word "year", insert the words "and month".

#### Amendment adopted.

##### AMENDMENT NUMBER NINETEEN.

On page 37, line 28, of the printed bill, as amended by the Senate March 17, 1927, and as amended by the Senate March 24, 1927, after the period, insert a new sentence as follows: "One series shall be due on January second and one on July second of each year."

#### Amendment adopted.

##### AMENDMENT NUMBER TWENTY.

On page 25 of the printed bill, as amended in the Senate March 17, 1927, and March 24, 1927, following line 15, insert the following: "No changes as in this section authorized shall be made after the contract shall have been let, without the consent in writing of the contractor and his bondsman having first been obtained and the adjustment of the contractor's compensation, in case of said change being made, having been agreed upon and stated in said consent."

#### Amendment adopted.

##### AMENDMENT NUMBER TWENTY-ONE.

On page 9, line 34, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, immediately following the word "California", insert the following: "or which belongs to or are under the control of any municipality or county, the legislative body of which is conducting the proceeding or of which the consent of its legislative body is necessary to said proceedings,".

#### Amendment adopted.

##### AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 14, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the word "and", following



the words "original grades", and insert in lieu thereof the following: "if any have theretofore been established and if none have been so established then the existing surface grades along the side lines of the proposed public way also".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 49 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, between the word "assessor", in line 44, and the word "Sec.", in line 45, insert the following:

Sub. 14. The words "the legislative body" wherever used in this act shall be deemed to mean the legislative or governing body of the municipality or county conducting the proceedings, unless the contrary clearly appears from the context.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 17 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out lines 27 and 28, and insert in lieu thereof the following: "vided for, if in the opinion of the legislative body conducting the proceedings any of the estimates in the engineering data referred to in the resolution of intention are insufficient, such".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 18, line 50, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the word "thus".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 16, line 9, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the word "cleave", and insert in lieu thereof the word "divide".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 49 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, between the word "specified", in line 15, and the word "Subdivision", in line 16, insert the following:

Sub. 8a. Wherever the word "insertion" or "insertions" is used in this act, it shall be deemed to mean publication in a newspaper as elsewhere defined in this act."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 24, line 45, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the words "the contractor", and insert in lieu thereof the following: "such contractor in the name of the county or municipality the legislative body of which is conducting the proceedings."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 26, line 9, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the word "filed", and insert in lieu thereof the word "file".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 26 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out lines 51 and 52, and insert in lieu thereof the following: "no verified claim has been filed before the treasurer has paid out the funds from which".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 21, line 22, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the period immediately

following the word "completed", and insert in lieu thereof a comma and the following: "based on estimates thereof made by the superintendent of work."

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-TWO.

On page 19, line 15, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the word "proceeding", and insert in lieu thereof the words "the proceedings".

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-THREE.

On page 18, line 33, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the comma immediately after the word "each", and insert a period in lieu thereof, and strike out all the balance of line 33 and all of lines 34 to 38, inclusive.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-FOUR.

On page 22, lines 21 and 22, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the words "its general fund, and any bonds forfeited may be prosecuted", and insert in lieu thereof the following: "the incidental fund of the district, and any bonds so forfeited sued upon in the name of the county or municipality whose legislative body is conducting the proceedings,".

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-FIVE.

On page 23, line 39, of the printed bill, as amended in the Senate March 17, 1927, and March 24, 1927, strike out the word "call", and insert in lieu thereof the following: "notice inviting bids".

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-SIX.

On page 23, line 51, of the printed bill, as amended in the Senate March 17, 1927, and March 24, 1927, strike out the period immediately following the word "paid", and insert in lieu thereof the following: "for by such county or municipality."

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-SEVEN.

On page 30, line 22, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, immediately after the words "shall proceed", insert the following: "in the name of the county or municipality, the legislative body of which is conducting the proceedings".

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-EIGHT.

On page 33, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, immediately following line 21, insert a paragraph as follows:

In those cases where the acquisition includes the relocation or removal of, or the making of structural changes in, any railroad, street or interurban railway, tracks or structures or other public utility structures or equipment, the compensation to be paid for such relocation, removal or change, or the damages occasioned thereby, shall be ascertained and assessed and shall become a part of the award and a part of the expense of the acquisition as other compensation and damages. Where prayed for in the complaint and the complaint describes and is accompanied by a map or diagram showing the location and proposed relocation, removal or change, the court shall, in addition to the condemnation ordered, order such relocation, removal or change.

### Amendment adopted.

#### AMENDMENT NUMBER THIRTY-NINE.

On pages 31 and 32 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out all of lines 51 and 52, on page 31, and all of lines 1 to 5, both inclusive, on page 32, and insert in lieu thereof the following: "to set the action for trial. Upon the hearing of said motion, the

court shall order the trial of the action by a jury, or by the court sitting without a jury, as the case may be, as to all defendants who shall demand such trial, and shall fix a time for the trial thereof, and as to all other defendants, including defendants in default, a trial by jury or by the court without a jury shall be deemed to be waived; and the court must appoint three disinterested persons referees to ascertain the amounts to be paid to all defendants so waiving a trial by jury or by the court without a jury, including defendants in default. Such referees must be resi-".

### Amendment adopted.

#### AMENDMENT NUMBER FORTY.

On page 32 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out all of lines 44 to 47, both inclusive, and insert in lieu thereof the following: "delay is caused by the defendants, the right to compensation and damages shall be deemed to have accrued at the date of the hearing of the motion to set the action for trial, and its actual value at that time shall be the measure of compensation and damage."

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-ONE.

On page 38 of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out all of lines 24 and 25, and insert in lieu thereof the following: "payable on any land in said district owned by him or in which he has a beneficial interest desiring to be relieved from the payment of any further special assessment taxes levied or to be levied thereon by reason of proceedings taken under the provisions of this act, and desiring to have the same released from the assessment district therefor, may first".

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-TWO.

On page 38, line 49, of the printed bill, as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, strike out the words "the proper proportion being", and insert in lieu thereof the following: "such proper proportion shall be".

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-THREE.

On page 29, line 39, of the printed bill, following the last word "continuance", as amended in the Senate March 17, 1927, and as amended in the Senate March 24, 1927, insert the following: "whenever said legislative body refuses any further continuance, it shall have power and it shall be its duty to declare the contract forfeited, and thereupon proceed in the manner provided in section 18 hereof, for the completion of the work."

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-FOUR.

On page 10, line 37, of the printed bill, as amended March 24, 1927, strike out "seventy-five", and insert in lieu thereof "forty-five".

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-FIVE.

On page 14, line 30, of the printed bill, as amended March 24, 1927, strike out the word "ten", and insert in lieu thereof the word "fifteen".

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-SIX.

On page 14, line 38, of the printed bill, as amended March 24, 1927, strike out the word "twenty", and insert in lieu thereof the word "twenty-five".

### Amendment adopted.

#### AMENDMENT NUMBER FORTY-SEVEN.

On page 12, lines 18 and 19, of the printed bill, as amended March 24, 1927, strike out the words "execution of the contract for the improvement", and insert in lieu thereof the following: "acceptance of the work".

### Amendment adopted.



Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 771—An act to prevent unfair discrimination against California manufacturers by making it unlawful for any municipality to levy license taxes or fees against such manufacturers that are not levied against nonresident manufacturers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 860—An act creating the Angeles Forest Game Preserve in the counties of Los Angeles and San Bernardino, in the State of California, providing for the prevention of the destruction of wild game within the boundaries thereof and providing penalties therefor.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

That the title of said printed bill be amended by striking out in line 1 thereof the words "creating the Angeles forest game preserve in the", and all of lines 2, 3, 4, and 5 thereof, and inserting in lieu thereof the following: "to amend section twenty-four of an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended."

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

That on page 1, line 1, of said printed bill, the words "There is hereby created the Angeles forest" and all of lines 2 to 24, inclusive, and on page 2 of said bill, all of lines 1 to 15, inclusive, be stricken out and that there be inserted in lieu thereof the following: "Section 24 of an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 28, 1917, as amended," is hereby amended to read as follows:

Sec. 24. Fish and game district four "B" shall consist of and include a part of the westerly portion of the Angeles national forest lying within the counties of San Bernardino and Los Angeles and more particularly described as follows, to wit: Sections six to ten, inclusive, sections fifteen to twenty-two, inclusive, and sections twenty-seven to thirty-two, inclusive, of township two north, range seven west; sections six, seven, eighteen, nineteen, thirty and thirty-one, of township three north, range seven west; sections one to twenty-two, inclusive, and those portions of sections twenty-three and twenty-four within the Angeles national forest, all in township one north, range eight west; all of township two north, range eight west; sections one to five, inclusive; the east half of section six; and all of sections seven to thirty-six, inclusive, of township three north, range eight west; sections one to twenty-four, inclusive, the west half of section twenty-five and all of sections twenty-six, twenty-seven and twenty-eight in township one north, range nine west; all of township two north, range nine west; sections seven to thirty-six, inclusive, in township three north, range nine west; sections one to eighteen, inclusive, those portions of sections nineteen, twenty, twenty-one and twenty-two within the Angeles national forest and all of sections twenty-three and twenty-four of township one north, range ten west; all of township two north, range ten west; sections seven to thirty-six, inclusive, of township three north, range ten west; all of sections one to fourteen, inclusive, and those portions of sections fifteen, sixteen, seventeen, eighteen, twenty-two, twenty-three and twenty-four within the Angeles national forest in township one north, range eleven west; all of township two north, range eleven west; that portion of section two lying south and west of a line drawn from the northwest corner to the southeast corner of said section, all of sections three to thirty-six, inclusive, in township three north, range eleven west; all of sections one and two and those portions of sections three, four, five, six, eleven, twelve and thirteen within the Angeles

national forest in township one north, range twelve west: all of township two north, range twelve west: all of sections one to five, inclusive, those portions of sections six and seven lying south and east of a line drawn from the northeast corner of section six to the southwest corner of section seven and all of sections eight to thirty-six, inclusive, in township three north, range twelve west: all of sections one to seven, inclusive, those portions of sections eighteen, twenty, twenty-one and twenty-two within the Angeles national forest, all of sections twenty-three to twenty-six, inclusive, and those portions of sections twenty-seven, thirty-five and thirty-six within the Angeles national forest in township two north range thirteen west: all of sections thirteen to thirty-six, inclusive, in township three north, range thirteen west: sections one, two and three and those portions of sections ten, eleven, twelve and thirteen within the Angeles national forest in township two north, range fourteen west. All townships and ranges mentioned herein being referred to San Bernardino base line and meridian."

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 244—An act to amend sections 2 and 22½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved May 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts one and four and one-half.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, after the word "two", strike out the words "and twenty-two and one-half", and after the word "half", in the last line of the title, add the following: "and to add a new section to said act to be numbered fifty-four and one-half, relating to fish and game district number twenty-seven."

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 35 to 38, both inclusive.

#### Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2 of the printed bill, after line 38, add the following:

SEC. 2. A new section to be numbered 54½ is hereby added to said act to read as follows:

SEC. 54½. Fish and game district number twenty-seven shall consist of those portions of Alpine county not included in fish and game districts one "J" or twenty-four.

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 245—An act to amend section 626 of the Penal Code, relating to the protection of game.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 26, inclusive, and on page 2 of the printed bill, strike out lines 1 to 52, inclusive, and on page 3 of the printed bill, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

626. Every person who between the first day of February and the fifteenth day of October, both dates inclusive, of any year, hunts, pursues, takes, kills or destroys or has in his possession any kind of wild duck, or goose, or brant or mudhen or gallinule, or Wilson snipe; or who, at any time hunts, pursues, takes, kills, or destroys or has in his possession any grouse, rail, or wood duck or wild pigeon or any shore bird, except Wilson snipe, or any sandhill crane, whooping crane or little brown crane; or who, except as hereinafter provided, between the first day of December and the thirty-first day of October of the year following, both dates inclusive, hunts, pursues, takes, kills, or destroys, or has in his possession any mountain, desert or valley quail, or cottontail or brush rabbits; or who, between the first day of October and the thirty-first day of August, both dates inclusive, of the following year, hunts, pursues, takes, kills or destroys or has in his possession, any dove, is guilty of a misdemeanor; *provided*, that in fish and game district number twenty-seven, every person who, between October fifteenth and September sixteenth of the following year, both dates inclusive, hunts, pursues, takes, kills or destroys or has in his possession any mountain, desert or valley quail is guilty of a misdemeanor; *provided*, that in fish and game districts four, four and one-half, and four and three-quarters every person who between the first day of November and the thirty-first day of August, of the year following, both dates inclusive, hunts, pursues, takes, kills or destroys or has in his possession, any dove is guilty of a misdemeanor; or who, between the sixteenth day of August and the thirty-first day of July, both dates inclusive, of the following year, hunts, pursues, takes, kills or destroys or has in his possession, any sage hen, is guilty of a misdemeanor; *provided*, that in fish and game district one and one-half every person who, between the first day of January and the thirty-first day of October, both dates inclusive, of any year, hunts, pursues, takes, kills or destroys or has in his possession any valley or mountain quail is guilty of a misdemeanor; *provided*, further, that nothing in this section shall prohibit the hunting, pursuing, taking, killing or destroying of any cottontail or brush rabbit by the owner or tenant of any premises, or by any person authorized in writing by such owner or tenant, but the rabbits so hunted, pursued, taken, killed or destroyed shall not be shipped or sold, or taken from the premises of such owner or tenant, during the closed season.

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 449—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, after the word "county", add a comma, and strike out the word "or".

#### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 26, of the printed bill, after the word "municipality", add the following: "or political subdivision".

#### Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 28, of the printed bill, after the word "county", add a comma and strike out the word "or".

#### Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2, line 28, of the printed bill, after the word "municipality", add the following: "or political subdivision".

#### Amendment adopted.



## AMENDMENT NUMBER FIVE.

On page 2, line 28, of the printed bill, as amended, after the comma, insert "except where the moneys so deposited belong to a specific fund, in which case it shall be paid into such specific fund and".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 3, line 28, of the printed bill, after the word "county", add the words "city and county".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 3, line 39, of the printed bill, after the word "county", add the words "city and county".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 4, line 40, of the printed bill, after the word "county", add the words "city and county, city, town,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 194—An act declaring portions of the lands conveyed to the city of San Diego by an act entitled "An act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, unavailable for navigation and fishery and excluding such portions from use for navigation, commerce and fishing, and granting such portions of said tide lands to the city of San Diego and county of San Diego for certain county and municipal purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 928—An act authorizing the State Department of Education to grant a right of way over certain State property located at Mount Shasta.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1194—An act to add new sections to article IIb of chapter III of title I of part III of the Political Code, to be numbered 361c, 361f and 361g, transferring to and vesting in the Department of Agriculture all of the duties, powers, purposes, responsibilities and jurisdiction of the State Land Settlement Board and of all members, officers, deputies and employees of said board, and abolishing said board and the positions of all officers, deputies and employees thereunder.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 30, 1927, strike out all of lines 8 and 9, and insert in lieu thereof the following: "director of agriculture and receive such annual salary as may be fixed by the director with the approval of the governor."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1237—An act to amend section 1928 of the Political Code, relating to the Adjutant General.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1222—An act to provide for the creation of a board of parole commissioners for each county in this State for the parole of persons confined in city, county, or city and county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto and repealing all acts and parts of acts inconsistent herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1113—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article XVIII, embracing sections 654 to ----, both inclusive, relating to a Department of Finance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1119—An act to amend sections 363, 363*a*, 363*b*, 363*c*, 363*d*, 363*e*, 363*f* and 363*g* of the Political Code, relating to the Department of Public Works.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1160—An act to amend section 3702 of the Political Code, relating to traveling expenses of the State Board of Equalization.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May

30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 735—An act to amend section 928 of the Penal Code, relating to grand juries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 735 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Waggy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 858—An act to provide for the formation, powers, duties, government and maintenance of health and sanitary districts in the State; the acquisition, maintenance, improvement and disposal of property thereby; the acquisition, construction, maintenance and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 858 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Waggy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 832—An act to amend section 1313 of the Civil Code, relating to restrictions on devises for charitable uses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 832 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the



enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations.

On motion of Senator Hurley, Senate Bill No. 666 was passed on file, to retain its place on file.

Senate Bill No. 607—An act to authorize and empower the Director of Natural Resources to close to fishing and camping any area in any State park or forestry area or fish and game district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 607 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Tabbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 362, as amended March 25, 1927, to Senator McKinley, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, as amended March 25, 1927, strike out the word "accepting", and insert in lieu thereof the word "excepting".

##### AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, as amended March 25, 1927, strike out the second word "the", and insert in lieu thereof the following: "either the district court of appeal or the".

##### AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, as amended March 25, 1927, after the word "court", add a comma.

##### AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, as amended March 25, 1927, after the word "not", add the following: ", in any case in which the judgment of conviction has become final".

##### AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill, as amended March 25, 1927, after the word "custody", add the following: "or admitted to bail".

##### AMENDMENT NUMBER SIX.

On page 2, line 6, of the printed bill, as amended March 25, 1927, after the word "must", add the following: ", in such cases,".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 362, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Special Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

## SENATE CONSTITUTIONAL AMENDMENT No. 16.

A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article I thereof, a new section to be numbered 14½, relating to the taking of parcels of land by eminent domain where such border upon public improvements.

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the constitution of said State be amended by adding to article I thereof, a new section to be numbered 14½, and to read as follows:

Sec. 14½. The State, or any of its cities or counties, may acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial grounds, streets, squares, parkways and reservations in and about and along and leading to any or all of the same, providing land so acquired shall be limited to parcels lying wholly or in part within a distance not to exceed one hundred fifty feet from the closest boundary of such public works or improvements; *provided*, that when parcels which lie only partially within said limit of one hundred fifty feet only such portions may be acquired which do not exceed two hundred feet from said closest boundary, and after the establishment, laying out, and completion of such improvements, may convey any such real estate thus acquired and not necessary for such improvements, with reservations concerning the future use and occupation of such real estate so as to protect such public works and improvements and their environs and to preserve the view, appearance, light, air and usefulness of such public works.

The Legislature may, by statute, prescribe procedure.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 16 ordered transmitted to the Assembly.

## SPECIAL ORDER RESET.

On motion of Senator Cobb, the consideration of Senate Bill No. 256, heretofore set for a special order at this time, was postponed until Senator Inman could be present.

## RE-REFERENCE OF SENATE BILL.

Senator Rush asked for and was granted unanimous consent to have Senate Bill No. 838 withdrawn from file and re-referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 371—An act to add a new section to the Penal Code, to be numbered 1275, relating to bail bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 371 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Taylor, Tubbs, Wagy, Weller, and West—33.

NOES—Senator Fellom—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.  
CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for consideration of Senate Bill No. 256, heretofore set as a special order for eleven o'clock a.m., the same was taken up.

Senate Bill No. 256—An act to amend section 330a of the Penal Code, relating to gambling devices.

Bill read third time previously.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and fifty-three minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Senate Bill No. 256 to Senator Pedrotti, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 3 of the title, as amended April 1, 1927, strike out the comma after the word "thirty b", and the balance of said line and all of line 4 of said title, and insert in lieu thereof the following: "prohibiting the operation of vending machines or other mechanical devices by persons under the age of 18 years."

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, as amended April 1, 1927, after the period following the figures "330b", strike out the balance of said line and all of lines 15 to 31, inclusive, and insert in lieu thereof the following: "It shall be unlawful for any person, firm or corporation having the custody or control of any slot machine or vending machine or other mechanical device as hereinafter described, to permit the same to be played or operated by any minor under the age of eighteen years. Said slot machine or vending machine or other mechanical device above referred to shall be any slot machine, vending machine or other mechanical device for the sale of goods, wares or merchandise, which mechanical device shall deliver one article or quantity of merchandise at one operation of said machine, and other articles or quantities of merchandise at another operation of said machine, or which shall deliver other than a specific article or specific quantity of merchandise or its or their equivalent, for a specific price at any and all times. The character, quantity and price to be set out in plain lettering on the face of the machine or device which is being maintained or operated.

SEC. 2. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding five hundred dollars, or by imprisonment in the county jail in the county where the offense is committed, not exceeding six months, or by both such fine and imprisonment.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Cobb and Lyon upon Senator Lyon's motion to refer to Special Committee of One. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One carried by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Gray, Handy, Hurley, Jones, Ray, Lyon, McKinley, Mueller, Nelson, Pedrotti, Sharkey, Slater, Swing, Taylor, Tubbs, Wagy, and West—25.

NOES—Senators Boggs, Breed, Cobb, Hollister, Ingram, Inman, Johnson, Jones, H. C., Maloney, Murphy, and Weller—11.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 256, with instructions to amend, respectfully reports the same back, amended, as per instructions.

PEDROTTI, Special Committee.

Report read, and on motion of Senator Lyon adopted.

Bill ordered to print and re-engrossment.



## RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Crowley, the presiding Senator declared the Senate at recess until the hour of two o'clock p.m.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Burton R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## LEAVE OF ABSENCE.

Senator Taylor, was, on motion of Senator Breed, granted leave of absence for the remainder of this day.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO April 7, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 54—An act authorizing and empowering any city and county, or county, or city operating under a freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to acquire land and construct and complete improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of hangars for storing aircraft; permitting use for said purposes of property owned for park purposes; providing for the incurring of indebtedness and issuing bonds; validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purposes and of the proceedings leading up to the issuance and the proposed issuance of any such purpose and to levy taxes for such purposes;

Also: Assembly Bill No. 386—An act to amend section 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to reassessments;

Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

LYON, Chairman.

Assembly Bills Nos. 54 and 386 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 408—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 1185—An act to provide for the disposition of fines and forfeitures heretofore collected, in any police court, city justices' court or recorder's court in cities or towns of the fifth and sixth class, but not yet transmitted to the county treasurer;

Also: Assembly Bill No. 429—An act to authorize the city of Placerville to execute certain trusts in relation to the lands granted to said city;

Also: Assembly Concurrent Resolution No. 25—Approving an amendment to the charter of the city of Alameda, after due ratification by a majority of the qualified voters of said city at an election held therein on the eighth day of March, 1927; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

LYON, Chairman.

Assembly Bills Nos. 408, 1185 and 429 ordered on file for second reading.

Assembly Concurrent Resolution No. 25 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 413—An act to amend section 17 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, as amended;

Also: Assembly Bill No. 918—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917;

Also: Assembly Bill No. 793—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, as amended;

Also: Assembly Bill No. 999—An act to provide that in case the people of the city of Alameda should vote to exclude any of their salt marsh, tide or submerged lands, and thereafter the people of the city of Oakland should vote to annex the same, then the city of Alameda through its proper officials may grant said lands to the city of Oakland;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

LYON, Chairman.

Assembly Bills Nos. 413, 918, 793 and 999 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 412—An act to amend sections 19, 79 and 79a, of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and to add new sections to said act, which said new sections shall be designated sections 79b, 79c, 79d, 79e, 79f, 79g, 79h, 79i, 79j, 79k, and 79l, relating to bonds of contractors and definition of terms used in said act, and to proceedings thereunder—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

LYON, Chairman.

Assembly Bill No. 412 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 714—An act to create a new section, to be numbered section 876a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to depository funds of cities of the sixth class in banks—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

LYON, Chairman

Senate Bill No. 714 ordered on file for second reading.

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 401—An act to amend section 3787 of the Political Code, and relating to the effect of certain deeds to the State;

Also: Assembly Bill No. 492—An act to amend section 900 of the Code of Civil Procedure, relating to judgment lien in justice's court;

Also: Assembly Bill No. 760—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to provide a penalty for a violation of this act;

Also: Assembly Bill No. 1052—An act to amend section 103 of the Code of Civil Procedure, relating to qualifications of justices of the peace in certain townships;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, H. C., Chairman.

Assembly Bills Nos. 401, 492, 760 and 1052 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 630—An act to amend section 10 of the Political Code, relating to holidays—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—9; absent—5.

JONES, H. C., Chairman.

Assembly Bill No. 630 ordered on file for second reading.

## ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 889—An act to amend sections 1, 8, 10 and 18½ of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended, relating to insurance against loss or damage by fire, lightning, wind storm, tornadoes and earthquakes;

Also: Senate Bill No. 260—An act to add a new section to the Civil Code, to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

(Signed out)

HOLLISTER, Chairman.

McKINLEY.

GRAY.

EVANS.

WEST.

MUELLER.

HURLEY.

BOGGS.

Assembly Bill No. 889 ordered on file for second reading.

Senate Bill No. 260 ordered on file for second reading.

## ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 863—An act to provide for the escheat to the State of California of all moneys collected by any public utility in excess of the rate fixed by the Railroad Commission or other rate fixing body which shall have remained unclaimed for more than four years after the final determination of the legality of such rates and to provide procedure for the collection and disposition thereof and the filing of reports in respect thereto and to provide penalties for the violation of the same—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; noes—1; absent—2.

NELSON, Chairman.

Senate Bill No. 863 ordered on file for second reading.



Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 879—An act to amend sections 3617, 3627, 3628, 3629 and 3650 of the Political Code and to repeal section 3627a of said code, all relating to revenue and taxation;

Also: Senate Bill No. 880—An act to amend section 3664d of the Political Code, relating to assessment and taxation of franchises;

Also: Senate Bill No. 881—An act to add new sections to the Civil Code to be numbered 405, 406, 408, 409, and 410, relating to foreign corporations;

Also: Senate Bill No. 882—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 10, 11 and 15 of an act entitled, "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—10; noes—1; absent—2.

NELSON, Chairman.

Senate Bills Nos. 879, 880, 881 and 882 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of \$10,000,000 for the acquisition of rights of way for railroad grade separations on the roads within the State Highway System of the State of California, and for the construction of said railroad grade separations by the California Highway Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

Committee membership—13; committee vote: Ayes—10; noes—1; absent—2.

NELSON, Chairman.

Senate Constitutional Amendment No. 18 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 384—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to the State for delinquent taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10; noes—1; absent—2.

NELSON, Chairman.

Assembly Bill No. 384 ordered on file for second reading.

#### APPOINTMENT BY THE PRESIDENT.

The President announced the appointments of Senators Maloney, Wagy and Slater to meet with a joint committee of the Assembly to escort Governor C. C. Young and Hon. Hiram W. Johnson, United States Senator from California, to the Assembly Chamber.

#### SENATOR EVANS IN THE CHAIR.

At two o'clock and fifteen minutes p.m., Senator Evans of the Thirty-fifth District, was called to the chair.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

#### ON CONSTITUTIONAL AMENDMENTS.

#### SENATE CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article IV thereof to be numbered 25½, relating to boxing

and sparring matches or exhibitions—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it be reported out, without recommendation.

Committee membership—9; committee vote: Ayes—5; absent 4.

ALLEN, N. M., Chairman.

Assembly Constitutional Amendment No. 28 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to section 14 of article I of the constitution of said State, relating to the rights of private property—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, N. M., Chairman.

Assembly Constitutional Amendment No. 21 ordered on file.

#### SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Nelson asked for and was granted unanimous consent to take up for second reading, out of the regular order, Senate Bills Nos. 879, 880, 881 and 882.

Senate Bill No. 879—An act to amend sections 3617, 3627, 3628, 3629 and 3650 of the Political Code and to repeal section 3627*a* of said code, all relating to revenue and taxation.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, following the words "An act to amend sections", strike out all of the remaining language, and insert in lieu thereof the following: "three thousand six hundred twenty-seven, three thousand six hundred twenty-seven *a*, three thousand six hundred twenty-eight, three thousand six hundred fifty of the Political Code, all relating to revenue and taxation."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1 to 22, inclusive; also on page 2 of the printed bill, strike out all of lines 1 to 27, inclusive.

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 28, of the printed bill, strike out the words "Sec. 2," and insert in lieu thereof the following words: "Sec. 1."

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill, after the period following the word "value", insert the following: "In determining the full cash value of shares of capital stock there shall be deducted the value of the property in California of the corporation by which such shares of capital stock are issued."

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 34 and 35, and insert in lieu thereof the following:

SEC. 2. Section 3627*a* of the Political Code is hereby amended to read as follows: 3627*a*. Each county or city and county shall tax notes, debentures, shares of capital stock, bonds, solvent credits and mortgages or deeds of trust, which are taxable to the owner thereof under the provisions of the laws of the state, at a rate of one and forty-five hundredths per centum of the full cash value thereof; *provided*,

that the taxpayer shall have included such property in the annual statement under oath made and delivered to the assessor as required by law; *provided*, that in the event of failure or refusal to file such annual statement such property shall be assessed at double its full cash value. In determining the full cash value of the property hereinbefore enumerated in this section the assessor shall not take into account the existence of any custom or common method, if any, of assessing any other class or classes of property at less than the full cash value thereof. The taxes so collected shall be deposited in the general fund of the county or city and county in which such property is taxed.

### Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 2, line 36, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "3".

### Amendment adopted.

#### AMENDMENT NUMBER SEVEN.

On page 3, line 7, of the printed bill, strike out the words "In assessing solvent credits not secured by"; also strike out lines 8 and 9, and insert in lieu thereof the following: "In assessing solvent credits, not secured by mortgage, deed of trust, contract or other obligation, where land situated within this state is pledged as security therefor, a deduction from the assessed value shall be made of such debts, unsecured by mortgage, deed of trust, contract or other obligation, where land situated within this state is pledged as security therefor, as may be owing by such person, firm, corporation or association to bona fide residents of this state."

### Amendment adopted.

#### AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, strike out all of lines 10 to 52, inclusive; also strike out all of lines 1 to 7, inclusive, on page 4 of the printed bill.

### Amendment adopted.

#### AMENDMENT NUMBER NINE.

On page 4, line 8, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "4".

### Amendment adopted.

#### AMENDMENT NUMBER TEN.

On page 5, line 21, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "5".

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 880—An act to amend section 3664*d* of the Political Code, relating to assessment and taxation of franchises.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, between lines 20 and 21, add the following paragraph to section 1:

In the event that it shall be hereafter finally determined by the courts that said franchise can not be taxed at the rate of one and eight-tenths per centum in the levying of the tax thereon which becomes a lien as of the first Monday in March, 1927, then the rate for the purpose of levying upon said franchises the tax, which becomes a lien as of the first Monday in March 1927, shall be and is hereby fixed at one and six-tenths per centum.

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 881—An act to add new sections to the Civil Code to be numbered 405, 406, 408, 409, and 410, relating to foreign corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the words "four hundred nine, and four hundred ten," and insert in lieu thereof the following: "and four hundred nine".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the figures "405", and insert in lieu thereof the figures "406".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the figures "405", and insert in lieu thereof the figures "406".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, after the word "state", insert the following: "and the place of business or residence of such person".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, after the word "event", insert the following: "that such person can not be found at the place designated or in the event".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 15, of the printed bill, strike out the figures "406", and insert in lieu thereof the figures "408".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, strike out lines 16 to 22, inclusive, and the words "with the provisions of the preceding section.", in line 23, and insert in lieu thereof the following:

408. Every corporation which complies with the provisions of sections 405 and 406 of this code is thereafter entitled to the benefit of the laws of this state limiting the time for the commencement of civil actions, but any corporation created by or under the laws of any foreign state or country that has not complied with said sections is not entitled to the benefit thereof, nor can any such foreign corporation maintain or defend any action or proceeding concerning its property in this state or any intrastate business or transaction, in any court of this state.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 15, of the printed bill, strike out the word "chapter", and insert in lieu thereof the word "section".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 17, of the printed bill, strike out the figures "408", and insert in lieu thereof the figures "405".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2, line 18, of the printed bill, strike out the figures "408", and insert in lieu thereof the figures "405".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 2, line 20, of the printed bill, after the word "doing", insert the word "intrastate".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 2, line 20, of the printed bill, after the word "herein", insert the words "for such purpose".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 2, line 23, of the printed bill, after the word "do", insert the word "such".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 2, line 24, of the printed bill, after the word "herein", insert the words "for such purpose".

Amendment adopted.

## AMENDMENT NUMBER FIFTEEN.

On page 2, line 25, of the printed bill, after the word "doing", insert the word "such".

Amendment adopted.

## AMENDMENT NUMBER SIXTEEN.

On page 2, line 37, of the printed bill, after the word "owns", insert the words "any real".

Amendment adopted.

## AMENDMENT NUMBER SEVENTEEN.

On page 2 of the printed bill, strike out lines 38 to 44, inclusive, and insert in lieu thereof the following: "Such corporations shall also file any amendment of or change in any of the provisions of its original articles of incorporation, or charter, or of the statute or legislative, executive or governmental act or acts creating it. Every such corporation shall pay to the secretary of state for filing in his office such certified copy of its articles of incorporation, or if its charter, or of the statute or statutes, or legislative, or executive, or governmental act or acts creating it, a fee of one hundred dollars; *provided*, that foreign corporations organized for educational, religious, scientific or charitable purposes and having no capital stock, and foreign nonprofit corporations shall pay a fee of five dollars for filing the document or documents hereinabove required.

Amendment adopted.

## AMENDMENT NUMBER EIGHTEEN.

On page 2, line 45, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

Amendment adopted.

## AMENDMENT NUMBER NINETEEN.

On page 2, line 46, of the printed bill, strike out the figures "410", and insert in lieu thereof the figures "409".

Amendment adopted.

## AMENDMENT NUMBER TWENTY.

On page 2, line 47, of the printed bill, strike out the figures "410", and insert in lieu thereof the figures "409".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-ONE.

On page 2 of the printed bill, strike out lines 49 and 50, and the words and figures "408 and 409" in line 51, and insert in lieu thereof the following: "shall neglect or fail to comply with the conditions of section 405".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 3, of the printed bill, strike out the words and figures "sections 408 and 409", and insert in lieu thereof the word and figures "section 405".

Amendment adopted.

## AMENDMENT NUMBER TWENTY-THREE.

On page 3 of the printed bill, strike out the words "the governor, who shall instruct", in line 4; also strike out all of lines 5 to 21, inclusive, and insert in lieu thereof the following: "the attorney general of the state who shall, as soon as practicable, institute proceedings to recover the fine provided for in this section, and the amount so recovered must be paid into the state treasury to the credit of the general fund of the state. In addition to the penalty herein provided every contract made by or on behalf of any such foreign corporation affecting the personal liability thereof or relating to property within the state shall be held void on its behalf and on behalf of its assigns, but shall be enforceable against it or them. Any such corporation which, prior to the eighth day of March, 1901, shall have complied with the provisions of the act entitled "An act to amend 'An act in relation to foreign corporations,' approved April 1, 1872," approved March 17, 1899, is exempted from the provisions of this section and section 405 of this code".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 882—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 10, 11 and 15 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the words "ten, eleven and fifteen", and insert in lieu thereof the following: "fifteen, sixteen, eighteen and nineteen".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the figures "10, 11, and 15", and insert in lieu thereof the following: "15, 16, 18 and 19".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out the word "is", and insert in lieu thereof the word "are".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 877—An act to amend section 307 of the Civil Code, relating to corporations.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 877 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Swing, Tubbs, Weller, and West—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RECESS.

At two o'clock and twenty-five minutes p.m., on motion of Senator Crowley, the presiding Senator declared the Senate at recess until the hour of three o'clock p.m. for the purpose of meeting in the Assembly Chamber to hear addresses by Hiram W. Johnson, United States Senator from California, and C. C. Young, Governor of California.

#### RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 10 was refused adoption was continued until the next legislative day.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Inman, further consideration of the motion to reconsider the vote whereby Senate Bill No. 189 was refused passage was continued until the next legislative day.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Wagy:

SENATE CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653ab to 653ag inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same.

Request referred to Committee on Rules.

#### SENATOR KLINE IN THE CHAIR.

At three o'clock and fifty minutes p.m., Senator Kline of the Thirty-ninth District was called to the chair.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide

suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 263, as amended March 21, 1927, to Senator Handy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the amended printed bill, strike out the word "effect", and insert in lieu thereof the word "affect".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 263, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANDY, Special Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Murphy moved to refer Assembly Bill No. 263 to Senator Crowley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, insert after the word "establishment", the words "or industry".

AMENDMENT NUMBER TWO.

On page 2, line 16, of the printed bill, insert after the word "establishment", the words "or industry".

AMENDMENT NUMBER THREE.

On page 2, line 44, of the printed bill, strike out the period after the word "spoiling", and insert in lieu thereof the following: ", *provided, however,* that no female

shall be employed or suffered or permitted to work in packing or processing eggs for more than forty-eight hours in one week."

#### DIVISION OF QUESTION.

Senator Murphy moved that the question be divided.

Motion carried.

The question being on the motion to refer Amendment No. 3 to Special Committee of One.

#### AYES AND NOES DEMANDED.

A roll call was demanded by Senators Slater, Maloney and Murphy upon Senator Murphy's motion to refer Amendment No. 3 to Special Committee of One. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer Amendment No. 3 to Special Committee of One lost by the following vote:

AYES—Senators Canepa, Crowley, Fellom, Gray, Hurley, Inman, Johnson, Jones, H. C. Maloney, Murphy, Pedrotti, and Tubbs—12.

NOES—Senators Allen, J. M., Allen, N. M., Boggs, Chamberlin, Christian, Cobb, Evans, Handy, Hollister, Ingram, Jones, Ray; Kline, Lyon, McKinley, Mueller, Nelson, Sharkey, Slater, Swing, Waggy, Weller, and West—22.

#### AYES AND NOES DEMANDED.

A roll call was demanded by Senators Slater, Maloney and Murphy upon Senator Murphy's motion to refer Amendments Nos. 1 and 2 to Special Committee of One. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer Amendments Nos. 1 and 2 to Special Committee of One lost by the following vote:

AYES—Senators Canepa, Crowley, Fellom, Gray, Hurley, Inman, Maloney, Murphy, Pedrotti, and Tubbs—10.

NOES—Senators Allen, J. M., Allen, N. M., Boggs, Chamberlin, Christian, Cobb, Evans, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, McKinley, Mueller, Nelson, Sharkey, Slater, Swing, Waggy, Weller, and West—22.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 544—An act to provide for the formation, management and dissolution of county police protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 544, as amended April 1, 1927, to Senator Boggs, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, as amended April 1, 1927, strike out the word "bill" and insert in lieu thereof the word "will."

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 544, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.



Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relative to the general powers of supervisors.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1006 to Senator Boggs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 46, of the printed bill, after the word "parks," insert the words "botanical gardens."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1006, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

RE-REFERENCE OF ASSEMBLY CONSTITUTIONAL AMENDMENT.

Senator Jones asked for and was granted unanimous consent to have Assembly Constitutional Amendment No. 28 re-referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 84—An act appropriating money to pay the claim of the cashier of the Board of State Harbor Commissioners of San Francisco against the State of California;

Also: Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State Park bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State Park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective;

Also: Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State Commissioner thereof;

Also: Senate Bill No. 876—An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease;

Also: Senate Bill No. 771—An act to prevent unfair discrimination against California manufacturers by making it unlawful for any municipality to levy

license taxes or fees against such manufacturers that are not levied against non-resident manufacturers;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ADJOURNMENT.

At four o'clock and forty-five minutes p.m., on motion of Senator Nelson, the presiding Senator declared the Senate adjourned until ten o'clock and thirty minutes a.m., Friday, April 8, 1927.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, April 8, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Arthur H. Breed, President pro tempore of the Senate, in the chair.  
Assistant Secretary Albert Brady at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—34.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 7, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVES OF ABSENCE.

Senators Hurley and Christian were, on motion of Senator West, granted leaves of absence for this day.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

Senator McKinley was, on motion of Senator Ingram, granted leave of absence for this day.

Senator Taylor was, on motion of Senator Crowley, granted leave of absence for this day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. George D. Marvin and Mrs. Marvin of Redwood City, California.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Beth Rummel, principal Meridian School District, Mr. George Hancock and Mr. Schulyer Bennett, trustees, and students as follows: Alice Ruffinelli, Theresa Ruffinelli, Almata Lee, Ornan Lee, Manuel Quadros, Elidia

Quadros, Kenneth Bennett, John Wise, Tony Carlos, Joe Carlos, Albert Felix, Alexander Felix, Edwin Hamilton, Margarita Felix and Anita Felix.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Shasta Union School of Chico, Mrs. H. F. McGowan, principal, and students as follows: Margaret Thomasson, Marion Thomasson, Zola Thomasson, Clifford Haynes, Lester Franks, Paul Parker, Reginald Maxfield, Don Maxwell, Max Helphenstine, Walter Kesterson, Robert Stallings, Paul Pelko, Frank Nunes, Joyce Stahl, Lucile Spesert, Myretta Brooks and Ruth McGowan, and visitors, Mrs. M. G. Hamm, Mrs. W. M. Spesert, Mr. and Mrs. George Parker and Mr. A. Pelko.

#### PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Senator Kline:

#### RIVERSIDE COUNTY CHAMBER OF COMMERCE.

HIGHGROVE, CALIFORNIA, March 22, 1927.

*Be it Resolved.* That we approve of Senate Bills Nos. 439, 440 and 441, now pending before the Legislature of the State of California, in so far as they provide for a well balanced State park system for the State of California as a whole, and particularly the acquirement of areas for the preservation of the redwoods, and the cypress on Point Lobos, provided that lands for such park system shall not be acquired by the State where the acquirement of such lands seriously interferes with the use of the natural resources of the State of California by the people thereof, excepting the trees on areas hereinbefore referred to.

#### RIVERSIDE COUNTY CHAMBER OF COMMERCE.

H. R. YOUNGLOVE, President.

Attest: JAMES L. DAVIS, Secretary.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores;

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 19 of article VI thereof, relating to powers of judges in charging juries;

Also: Senate Bill No. 88—An act to amend sections 1044, 1083b, 1096, 1096a, 1125, 1151, 1192, 1195b, 1204, 1205, 1210, 1261, 1262, 1264, 1265, of the Political Code, relating to registration of electors and conduct of elections;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 43—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election;

Also: Assembly Bill No. 763—An act to amend sections 1357 and 1359 of the Political Code, relating to absent voters;



Also: Assembly Bill No. 1170—An act to add a new section to the Political Code to be numbered 1197c, relating to a means of distinguishing between similar names on the ballot;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—11.

FELLOW, Chairman.

Assembly Bills Nos. 43, 763 and 1170 ordered on file for second reading.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 714—An act to create a new section, to be numbered section 876a, to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to depository funds of cities of the sixth class in banks.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word and comma "bank," insert the following: "provided, that the rate of interest paid by such bank is not less than two per cent;".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the word "providing", and insert in lieu thereof the following: "and provided further".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "law," insert the following: ", except those provisions of law requiring depository banks to be selected from those agreeing to pay the highest rate of interest or any other provisions of law relating to the selection of such banks by competitive bids;".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 260—An act to add a new section to the Civil Code, to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 863—An act to provide for the escheat to the State of California of all moneys collected by any public utility in excess of the rate fixed by the Railroad Commission or other rate fixing body which shall have remained unclaimed for more than four years after the final determination of the legality of such rates and to provide procedure for the collection and disposition thereof and the filing of reports in respect thereto and to provide penalties for the violation of the same.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "California", strike out the period and insert in lieu thereof a semicolon, and add the following: "provided, how-

ever, when any action or proceeding, or any actions or proceedings consolidated for trial, hearing or determination involving the validity of any rate or rates fixed by said railroad commission or other rate fixing body, shall have been heretofore compromised and settled by agreement between the parties thereto, and if the party or parties to said action or proceeding shall have so agreed, the court having jurisdiction of said action or proceeding, may in approving said compromise of said litigation, or entering any judgment in conformity with the agreement of the parties thereto, provide that any sum or sums representing rebates which can not be made to the parties entitled thereto or for which no demand shall be made within said period of four years, may be retained by the utility company collecting the same, and said sums shall not be subject to escheat as in this act provided.

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, strike out the period, insert in lieu thereof a semicolon, and add the following: "provided, that any public utility which shall make any deposit with the state treasurer in conformity with the provisions of this section shall not thereafter be liable to any person for the same and any action which may be brought by any person against any public utility for money so deposited with the state treasurer shall be defended by the attorney general of the state without cost to such public utility."

### Amendment adopted.

#### AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed bill, after the word "thereof", strike out the period, and add the following: "and all persons who fail to appear and file their petitions within the time limited shall be forever barred, saving, however, to infants and to persons of unsound mind the right to appear and file their petitions at any time within the time herein limited or within one year after their respective disabilities cease."

### Amendment adopted.

#### AMENDMENT NUMBER FOUR.

On page 2, line 30, of the printed bill, after the word "cause", insert the following: "ninety-five per cent of".

### Amendment adopted.

#### AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed bill, strike out the following: "transferred back", and insert in lieu thereof the following: "paid, in the manner hereinafter provided,".

### Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 2, line 33, of the printed bill, after the word "collected", strike out the comma and insert in lieu thereof a period and strike out the word "to" and insert the following: "The state treasurer shall in the months of May and November of each year make a report to the state controller setting forth the amounts to which an absolute and unqualified title has vested in the state and thereupon the controller shall draw his warrant upon the 'escheat excess public utilities rate fund' in favor of each county in the state for the amount to which each such county is entitled hereunder. All such amounts so paid to the several counties shall".

### Amendment adopted.

#### AMENDMENT NUMBER SEVEN.

On page 2, line 38, of the printed bill, after the word and period "purposes," begin a new sentence to read as follows: "The remainder of said money in the escheat excess public utilities rate fund shall remain in said fund for a period of twenty years to pay the claims of all infants and persons of unsound mind who may have been under a disability as to the filing of a petition and bringing of an action for the claim of any money so escheated to the state, as provided under Section 1272 of the Code of Civil Procedure during the year between the deposit of said money with the state and the absolute and unqualified vesting of title in the state as herein provided. Thereafter such moneys so remaining in said fund shall be transferred into the general fund of the state."

### Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 7, of the printed bill, strike out the following: "5 or 6", and insert in lieu thereof the following: "7 or 8".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 8, of the printed bill, after the word and period "misdemeanor", add a new paragraph to read as follows:

SEC. 10. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 3. An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518. An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 460—An act to amend section 628b of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill,



The roll was called, and Senate Bill No. 460 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—26.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363*i*, providing for the supervision of ports by the Department of Public Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 823 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, Ray, Kline, Maloney, Murphy, Nelson, Pedrotti, Rush, Slater, Wagy, and West—24.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 840—An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 840 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—27.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 176—An act to amend an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to the ownership of pharmacies or drug stores.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 176 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 876—An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 876 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HOLLISTER IN THE CHAIR.

At eleven o'clock and nine minutes a.m., Senator Hollister of the Twenty-fifth District was called to the chair.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1215—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 54—An act authorizing and empowering any city and county, or county, or city operating under a freeholders charter or otherwise, or any town, or any municipal corporation in the State of California to acquire land and construct and complete improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of hangars for storing aircraft; permitting use for said purposes of property owned for park purposes; providing for the incurring of indebtedness and issuing bonds; validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purposes and of the proceedings leading up to the issuance and the proposed issuance of any such purpose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 386—An act to amend section 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, and relating to reassessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 408—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1185—An act to provide for the disposition of fines and forfeitures heretofore collected, in any police court, city justices' court or recorder's court in cities or towns of the fifth and sixth class, but not yet transmitted to the county treasurer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 429—An act to authorize the city of Placerville to execute certain trusts in relation to the lands granted to said city.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 413—An act to amend section 17 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 918—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 793—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and provide for the collection of such assessments, the sale of the property affected

thereby and for the payment of the bonds so issued," approved June 11, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 999—An act to provide that in case the people of the city of Alameda should vote to exclude any of their salt marsh, tide or submerged lands, and thereafter the people of the city of Oakland should vote to annex the same, then the city of Alameda through its proper officials may grant said lands to the city of Oakland.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 412—An act to amend sections 19, 79 and 79a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and to add new sections to said act, which said new sections shall be designated sections 79b, 79c, 79d, 79e, 79f, 79g, 79h, 79i, 79j, 79k and 79l, relating to bonds of contractors and definition of terms used in said act, and to proceedings thereunder.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended March 11, 1927, after the word "municipalities", strike out the comma, and add the following: "or of which a municipality has possession and the right of use under the provisions of section fourteen of article one of the constitution."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, as amended March 11, 1927, after the word "municipalities", strike out the comma, and add the following: "or of which a municipality has possession and the right of use under the provisions of section 14 of article 1 of the constitution."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 401—An act to amend section 3787 of the Political Code and relating to the effect of certain deeds to the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 492—An act to amend section 900 of the Code of Civil Procedure, relating to judgment lien in justice's court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 760—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 1052—An act to amend section 103 of the Code of Civil Procedure, relating to qualifications of justices of the peace in certain townships.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 630—An act to amend section 10 of the Political Code, referring to holidays.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, following the comma after the word "October", insert the word "the".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after the comma following the word "November", insert the word "or".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the following: "or eleventh day of November".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, strike out the comma at the end of the line, and insert in lieu thereof a period.

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2, lines 9 to 16, inclusive, of the printed bill, strike out all of the printed bill beginning with the word "but", in line 9, to and including the word "days" and the period immediately following, in line 16.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 889—An act to amend sections 8, 10 and 18½ of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 14, of the amended printed bill, as of March 25, 1927, after the words "or community", insert the words "or creameries".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 25, of the amended printed bill, as of March 25, 1927, strike out the word "written", and in lieu thereof insert the words "in force".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 3, line 3, of the amended printed bill, as of March 25, 1927, strike out the word "farm", and in lieu thereof insert the word "country".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3, line 8, of the amended printed bill, as of March 25, 1927, strike out the word "county", and in lieu thereof insert the word "country".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 6, lines 51 and 52, of the amended printed bill, as of March 25, 1927, strike out the words "deemed cancelled and shall be void", and in lieu thereof insert the word "suspended", and after the word "effect", line 52, page 6, insert the words "until reinstated by the payment of all delinquent charges or fees."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 384—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to State for delinquent taxes.

Bill read second time, and ordered on file for third reading.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 870—An act to amend sections 3 and 6 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended, and to add a new section thereto, to be numbered 11a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 870 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 837—An act to amend section 1764c of the Political Code, relating to special classes in day and evening schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 837 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 559—An act to amend section 4269 of the Political Code, relating to salaries, fees and expenses of county officers of counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 559 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 614—An act to amend section 273*h* of the Penal Code, compelling persons convicted under sections 270, 270*a*, 270*b*, 271 and 271*a* of this code to work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Mueller, Slater, Swing, Tubbs, Wagy, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1158—An act to amend an act entitled "An act approving the report of the California Debris Commission, transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto, to be numbered 33*a*, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1158 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR IN THE CHAIR.

At eleven o'clock and thirty-seven minutes a.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

## ASSEMBLY CONCURRENT RESOLUTION No. 17.

Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California.

WHEREAS, The present State prisons located at San Quentin and at Folsom are insufficient in size and inadequate in equipment to properly care for the large influx of prisoners; and

WHEREAS, Said influx of prisoners is annually increasing; and

WHEREAS, The transportation of such prisoners sentenced from the southern counties of this State to and from said prisons is a difficult and hazardous task; and

WHEREAS, The transportation of prisoners sentenced from the southern counties of this State is expensive and imposes an undue burden upon the taxpayers of this State; now, therefore, be it

*Resolved by the Assembly, the Senate concurring,* That the Speaker of the Assembly shall appoint three members and the President of the Senate shall appoint two members, who shall act as a committee of the Legislature to investigate the matters contained in this resolution and the advisability of locating a prison in the southern counties of this State and the best available location therefor, and the estimated cost thereof and to report their findings in full to the forty-seventh session of the Legislature; and be it further

*Resolved,* That the expenses incurred in such investigation, not to exceed the sum of five hundred dollars, shall be paid equally by the Assembly and the Senate out of their respective contingent funds.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, and West—27.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 17 ordered transmitted to the Assembly.

Assembly Bill No. 382—An act to amend sections 10, 11, 17, 20, 22 and 24 of an act entitled "An act providing for the organization, operation, maintenance, and government of water conservation districts, and for the acquisition, appropriation, diversion, storage, conservation and distribution of water for the irrigating of lands in such districts for drainage and reclamation connected therewith; and for the generation, disposition, and sale of hydro-electric energy developed incidental to such storage and distribution; and for the acquisition of lands or rights therein and the acquisition, construction, operation, and maintenance of works to carry into effect the provisions of this act; for the inclusion therein of irrigation districts, water storage districts, reclamation districts, drainage districts, and other political subdivisions of the State, as constituent districts or units of said water conservation districts, and the manner of providing funds and the voting and issuance of bonds by such political subdivisions, to carry out the purposes of this act; and creating a State board to be known as the 'State Irrigation Board,' and defining its powers and duties, and the methods and procedure of exercising such powers and duties," approved June 18, 1923, as amended, relating to organization of water conservation districts.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 382 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 806—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37*f*, relating to the compensation and travel expenses of water master.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 806 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 186—An act to amend the Code of Civil Procedure by adding a new section thereto, relating to the expenses of judges of the superior courts.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Assembly Bill No. 186 to Senator West, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the period, and insert in lieu thereof: "and which shall be audited, allowed and paid as other county claims are audited, allowed and paid."

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 186, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator Chamberlin adopted.

Bill ordered to print.

Assembly Bill No. 580—An act to amend section 2009 of the Code of Civil Procedure, relating to the use of affidavits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 580 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray;

Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—29.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 581—An act to add a new section to the Code of Civil Procedure, to be numbered 379*a*, and relating to the joinder of parties to actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 581 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—28.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 582—An act to add a new section to the Code of Civil Procedure to be numbered 379*b*, relating to the parties to actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 582 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Weller—26.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 673—An act to add a new section to the Code of Civil Procedure, to be numbered 983, relating to the burden of proof in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 673 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Weller—27.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 844—An act to amend section 19*b* of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the

California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salaries thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons and defining such crimes and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 844 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagye, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 900—An act to amend sections 137 and 140 of the Civil Code, relating to permanent support of wife or husband by the other, as the case may be.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 900 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Mueller, Rush, Sharkey, Swing, Wagye, and Weller—21.

NOES—Senators Fellom, Inman, Jones, H. C., Maloney, Murphy, and Tubbs—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 439—An act to add to the Political Code a new section, to be numbered section 2323, relating to noxious weeds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 439 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagye, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR INGRAM IN THE CHAIR.

At twelve o'clock and five minutes p.m., Senator Ingram of the Third Senatorial District was called to the chair.

Assembly Bill No. 866- An act to amend section 2322c of the Political Code, relating to county horticultural commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 866 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Cobb, Crowley, Evans, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Sharkey, Tubbs, Wagy, and Weller—23.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 930- An act to amend sections 2, 3, 4, 5 and 6 of an act entitled "An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected and diseased apples, providing for the inspection and certification thereof, and for its enforcement, fixing penalties for its violation and repealing an act entitled 'The Standard Apple Act of 1917,' approved May 7, 1917, as amended," approved June 3, 1921, as amended, approved May 26, 1923, as amended, approved April 10, 1925, as amended, relating to apple packing and grading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 930 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—24.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 15—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works, by requiring contractors, or their agents, to file with the officer, board or commission awarding the contract, a verified report as to the nature of any extraordinary emergency when their employees are permitted to work over eight hours per day, together with the names of the said employees and the hours worked per day, making failure to file said report within thirty days conclusive proof that no extraordinary emergency existed, also making it a misdemeanor for any contractor or subcontractor on public work, or agent thereof, to violate any of the provisions of the said section.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 15 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Maloney, Mueller, Murphy, Nelson, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—24.  
NOES—Senators Allen, N. M., Chamberlin, Cobb, and Evans—4.

Title read and approved.

Bill ordered transmitted to the Assembly.



## POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 10 was refused adoption was continued until the next legislative day.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following concurrent resolution was introduced:

By Senator Slater: Senate Concurrent Resolution No. 27.—Relative to approval of a certain amendment to the charter of the city of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the tenth day of March, 1927.

## UNANIMOUS CONSENT GRANTED.

Senator Slater asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 27 at this time for the purpose of adoption.

Senate Concurrent Resolution No. 27—Relative to approval of a certain amendment to the charter of the city of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the tenth day of March 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 27 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, Mueller, Murphy, Sharkey, Slater, Tubbs, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 27 ordered transmitted to the Assembly.

## LIEUTENANT GOVERNOR IN THE CHAIR.

At twelve o'clock and thirty minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

## UNANIMOUS CONSENT GRANTED.

Senator Inman asked for and was granted unanimous consent to withdraw Assembly Bill No. 630 from printer for purpose of amending.

Assembly Bill No. 630—An act to amend section 10 of the Political Code, relating to holidays.

## AMENDMENTS FROM THE FLOOR.

During the reading of the bill, the following amendments were offered and their adoption moved by Senator Inman:

## AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, as amended March 23, 1927, strike out the word "officers", and insert in lieu thereof the word "offices".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, as amended March 23, 1927, strike out the period and quotation marks after the word "day", and insert in lieu thereof a comma and quotation marks and add the following: "and on the eleventh day of each year, known as Armistice Day."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

LEAVE OF ABSENCE.

Senator Garrison was, on motion of Senator Mueller, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 31—Relative to adjournment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Resolution read, and referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1263—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 15, 16, 18 and 19 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended:

Also: Assembly Bill No. 1264—An act to add five new sections to the Civil Code to be numbered 405, 405, 408 and 409, relating to foreign corporations:

Also: Assembly Bill No. 1265—An act to amend sections 3627, 3627a, 3628, 3650 of the Political Code, all relating to revenue and taxation:

Also: Assembly Bill No. 1266—An act to amend section 3664d of the Political Code, relating to assessment and taxation of franchises.

ARTHUR A. OHNIMUS, Chief Clerk.  
By LOUIS F. EBB, Minute Clerk.

Assembly Bills Nos. 1263, 1264, 1265 and 1266 read first time, without reference to committee.

UNANIMOUS CONSENT GRANTED.

Senator Breed asked for and was granted unanimous consent to take up without reference to committee Assembly Bills Nos. 1263, 1264, 1265 and 1266.

CASE OF URGENCY.

The following resolution was offered:

By Senator Nelson:

*Resolved*, That Assembly Bill No. 1263 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first and second times, and placed upon third reading file.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman,

Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—33.  
 NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of having Assembly Bill No. 1263 read the first and second times and placed on third reading file.

Also:

*Resolved*, That Assembly Bill No. 1264 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first and second times, and placed upon third reading file.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of having Assembly Bill No. 1264 read the first and second times and placed on third reading file.

Also:

*Resolved*, That Assembly Bill No. 1265 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first and second times, and placed upon third reading file.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of having Assembly Bill No. 1265 read the first and second times and placed on third reading file.

Also:

*Resolved*, That Assembly Bill No. 1266 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first and second times, and placed upon third reading file.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman,

Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—32.  
 NAYS—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of having Assembly Bill No. 1266 read the first and second times and placed on third reading file.

SECOND READING OF ASSEMBLY BILLS— (RESUMED).

Assembly Bill No. 1263—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 15, 16, 18 and 19 of an act entitled, "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties for forfeitures for noncompliance," approved May 10, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1264—An act to add five new sections to the Civil Code to be numbered 405, 406, 408 and 409, relating to foreign corporations.

TITLE AMENDED.

Senator Nelson moved to amend the title of Assembly Bill No. 1264 by adding thereto the following:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 7, 1927, strike out the word "five".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1265—An act to amend sections 3627, 3627a, 3628 and 3650 of the Political Code, all relating to revenue and taxation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1266—An act to amend section 3664d of the Political Code, relating to assessment and taxation of franchises.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, between lines 20 and 21, insert the following:  
 In the event that it shall be hereafter finally determined by the courts that said franchises can not be taxed at the rate of one and eight-tenths per centum in the levying of the tax thereon which becomes a lien as of the first Monday in March, 1927, then the rate for the purpose of levying upon said franchises the tax, which becomes a lien as of the first Monday in March, 1927, shall be and is hereby fixed at one and six-tenths per centum.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

SPECIAL ORDER.

Senator Breed moved that Assembly Bills Nos. 1263, 1264, 1265 and 1266 be made a special order for the eleventh day of April, 1927, at eleven o'clock and thirty minutes a.m.

Motion carried.



## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 264—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products, and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses, and fix the penalties therefor, and to repeal all conflicting acts or parts of acts.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 264 to Senator Sharkey, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, strike out the words "or timber products".

## AMENDMENT NUMBER TWO.

On page 6, lines 16 and 17, of the printed bill, strike out the words "and the name and address of the purchaser".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 264, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Boggs adopted.

Bill ordered to print.

Assembly Bill No. 436—An act to provide for the establishment of weed free areas, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners and defining their powers and duties in relation hereto, providing penalties for violation hereof and repealing "An act to prevent the propagation of noxious weeds," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 436 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Mueller, Murphy, Nelson, Sharkey, Slater, Waggy, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Inman, further consideration of the motion to reconsider the vote whereby Senate Bill No. 189 was refused passage was continued until the next legislative day.

Assembly Concurrent Resolution No. 25—Relative to approval of charter amendment to the charter of the city of Alameda.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 25 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 25 ordered transmitted to the Assembly.

Assembly Bill No. 928—An act authorizing the State Department of Education to grant a right of way over certain State property located at Mount Shasta.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 928 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Slater, Swing, Tubbs, Wagy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1194—An act to add new sections to article IIb of chapter III of title I of part III of the Political Code, to be numbered 361c, 361f and 361g, transferring to and vesting in the Department of Agriculture all of the duties, powers, purposes, responsibilities and jurisdiction of the State Land Settlement Board and of all members, officers, deputies and employees of said board, and abolishing said board and the positions of all officers, deputies and employees thereunder.

On motion of Senator Swing, Assembly Bill No. 1194 was passed on file, to retain its place on file.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 23—Relative to the creation of a committee for the purpose of making a comprehensive study into the subject of grade crossing accidents and delays and reporting thereon to the Legislature of the State of California:

Also: Senate Bill No. 839—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts;

Also: Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game;

Also: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of \$10,000,000 for the acquisition of rights of way for

railroad grade separations on the roads within the State Highway System of the State of California, and for the construction of said railroad grade separations by the California Highway Commission:

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Swing:

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV, of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

Request referred to Committee on Rules.

By Senator Fellom:

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV, of the constitution, I request permission to introduce a bill having the following title:

An act to provide for the appointment of a commission to be known as the Carquinez Straits Bridge Commission to investigate the Carquinez Straits bridge and any matters connected therewith or with bridges across the Carquinez Straits, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of the existing bridge by the State with a plan for financing its acquisition and the amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the State Highway System; or the construction of other bridges cross such straits and any other pertinent matters relating to the same problem.

Request referred to Committee on Rules.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1113—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article XVIII, embracing sections 654 to 685, both inclusive, relating to a Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1113 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Nelson, Rush, Slater, Swing, Tubbs, Waggy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1119—An act to amend sections 363, 363a, 363b, 363c, 363d, 363e, 363f and 363g of the Political Code, relating to the Department of Public Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1119 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, Nelson, Rush, Slater, Swing, Tubbs, Waggy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 151—An act to add a new section to the Political Code to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 151—An act to add a new section to the Political Code, to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FIFTY ONE.

## AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, as amended March 11, 1927, strike out the following:

Sec. 2a.

## AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, as amended March 11, 1927, strike out the following:

Sec. 2b.

## AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, as amended March 11, 1927, strike out the following:

Sec. 2c.

## AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, as amended March 11, 1927, strike out the following:

Sec. 2d.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 151?

The roll was called, and Assembly amendments to Senate Bill No. 151 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Cobb, Crowley, Fellom, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, Mueller, Nelson, Rush, Slater, Swing, Tubbs, Wagy, and Weller—24.

NOES—None.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 828—An act to amend section 606 of the Civil Code, providing for the organization of corporations for charitable and eleemosynary purposes.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 828 to Senator Breed, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 828, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1231—An act to add a new section to the Political Code, to be numbered 736b, prescribing the payment of compensation of judges of the superior court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

INMAN, Chairman.  
SLATER.  
INGRAM.  
BOGGS.  
JOHNSON.  
SHARKEY.  
HANDY.  
JONES, H. C.  
KLINE.

Assembly Bill No. 1231 ordered on file for second reading.

## ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 34—An act to amend sections 1 and 2 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, by making its application universal, prescribing penalties for violation thereof, and making it mandatory to insert in such advertisements the name of the person, firm, association or corporation placing the advertisement and making the appearance of this name in connection with the advertisement prima facie evidence as to the person, firm or corporation responsible for the advertisement—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

MURPHY, Chairman.

Assembly Bill No. 34 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 76—An act to amend section 4 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, so as to require the keeping of records of the names and hours worked by female employees in all occupations subject to the provisions of the act, which records shall be accessible at all reasonable hours to the Commissioner of the Bureau of Labor Statistics, his deputies and agents, to whom is delegated the duties of enforcing the provisions of the act, and making proof that any defendant was the manager or superintendent of any place of employment subject to the provisions of the act, at the time any female is alleged to have been employed therein in violation thereof, prima facie evidence that the said defendant employed and suffered and permitted the said female to so work, so as to bring him within the penal provisions of the said act, also making the records required by this act prima

facie evidence, sufficient to sustain a conviction, if they show a violation of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes. 7; absent—4.

MURPHY, Chairman.

Senate Bill No. 76 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 883—An act to create a flood control district to be called American River Flood Control District; to provide for the control and disposition of storm and flood waters and for the protection of waterways, etc., making an appropriation therefor, etc.—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

RUSH, Chairman.

GRAY.

INGRAM.

COBB.

JONES, RAY.

BOGGS.

MALONEY.

Senate Bill No. 883 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes. 7; absent—4.

HANDY, Vice Chairman.

Senate Constitutional Amendment No. 27 ordered on file.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 108—An act to amend section 4264 of the Political Code, relating to the salaries of county officers of counties of the thirty-fifth class;

Also: Assembly Bill No. 133—An act to amend section 2322<sup>1</sup>/<sub>2</sub> of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class;

Also: Assembly Bill No. 148—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class;

Also: Assembly Bill No. 149—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Assembly Bill No. 211—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also: Assembly Bill No. 230—An act to amend section 2322<sup>1</sup>/<sub>2</sub> of the Political Code, relating to the horticultural commissioner of counties of the nineteenth class;

Also: Assembly Bill No. 253—An act to amend section 4279 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fiftieth class;

Also: Assembly Bill No. 258—An act to amend section 19<sup>1</sup>/<sub>16</sub> of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the sixteenth class and providing an additional assistant probation officer in counties of said class;

Also: Assembly Bill No. 307—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class;

Also: Assembly Bill No. 310—An act confirming and validating the boundaries of counties;

Also: Assembly Bill No. 398—An act to amend section 2322<sup>1</sup>/<sub>16</sub> of the Political Code, relating to the salaries of the county horticultural commissioner, deputies and inspectors in counties of the sixteenth class;

Also: Assembly Bill No. 400—An act to amend section 2322x29 of the Political Code, relating to the salaries of county horticultural commissioner, deputies, inspectors, and clerk of the counties of the twenty-ninth class;

Also: Assembly Bill No. 430—An act to amend section 4278 of the Political Code, relating to salaries and fees of officials in counties of the forty-ninth class;

Also: Assembly Bill No. 467—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class;

Also: Assembly Bill No. 475—An act to amend section 19x6 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law, approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fifth class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HANDY, Vice Chairman.

Assembly Bills Nos. 108, 133, 148, 149, 211, 230, 253, 258, 307, 310, 398, 400, 430, 467 and 475 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 509—An act to amend section 4300f of the Political Code, relating to fees of the public administrator;

Also: Assembly Bill No. 565—An act to amend section 2322 of the Political Code, relating to county horticultural commissioners;

Also: Assembly Bill No. 672—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class;

Also: Assembly Bill No. 706—An act to amend section 2322x31 of the Political Code, relating to the creation of deputies of the horticultural commissioner of the counties of the thirty-first class and the fixing of their salaries;

Also: Assembly Bill No. 717—An act to amend section 2322x12 of the Political Code, relating to expenses, fees and salaries of the horticultural commissioner, his deputies, assistants and inspectors and fixing the number thereof, in counties of the twelfth class;

Also: Assembly Bill No. 718—An act to amend section 2322x13 of the Political Code, relating to salary and expenses of the county horticultural commissioner in counties of the thirteenth class;

Also: Assembly Bill No. 741—An act to amend section 2322x15 of the Political Code, relating to salary and compensation of horticultural commissioner in counties of the fifteenth class;

Also: Assembly Bill No. 743—An act to amend section 4244 of the Political Code, relative to fees and compensation of officers in the counties of the fifteenth class;

Also: Assembly Bill No. 749—An act to amend section 4246 of the Political Code, relating to the salaries, fee and expenses of officers in counties of the seventeenth class;

Also: Assembly Bill No. 810—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirtieth class;

Also: Assembly Bill No. 1075—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class;

Also: Assembly Bill No. 1081—An act to amend section 2322 of the Political Code, relating to the salaries and duties of the county horticultural commissioner;

Also: Assembly Bill No. 1127—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School, and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers



and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, relating to salaries of probation officers in counties of the fifteenth class;

Also: Assembly Bill No. 1157—An act to add a new section to the "Weights and Measures Act" approved June 16, 1913, as amended, to be numbered 16r2, relating to the salaries of the sealer of weights and measures, and deputies, in counties of the second class;

Also: Assembly Bill No. 1196—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HANDY, Vice Chairman.

Assembly Bills Nos. 509, 565, 672, 706, 717, 718, 741, 743, 749, 810, 1075, 1081, 1127, 1157 and 1196 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 652—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty sixth class;

Also: Assembly Bill No. 656—An act to amend section 4273 of the Political Code, relating to fees and salaries of officers in counties of the forty-fourth class;

Also: Assembly Bill No. 757—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

HANDY, Vice Chairman.

Assembly Bills Nos. 652, 656 and 757 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 468—An act to amend section 1714 of the Political Code, relating to school library funds in cities or cities and counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Education.

Committee membership—11; committee vote: Ayes—7; absent—4.

HANDY, Vice Chairman.

Assembly Bill No. 468 ordered re-referred to Committee on Education.

#### ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1245—An act to aid improvement, drainage and reclamation by authorizing certain improvements in and about the city of San Diego and as a means thereof creating a reclamation district to be called and known as the "Bayside Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

RUSH, Chairman.  
COBB.  
BOGGS.  
GRAY.  
JONES, RAY.  
INMAN.  
MALONEY.

Assembly Bill No. 1245 ordered on file for second reading.



## ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 8th, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 567—An act to amend section 1859 of the Political Code, relating to the length of the school term;

Also: Assembly Bill No. 471—An act to amend section 1650 of the Political Code, relating to the duties of the clerks of school districts;

Also: Assembly Bill No. 516—An act to approve, confirm, ratify and validate sales and conveyances of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales;

Also: Assembly Bill No. 858—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No. 860—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same;

Also: Assembly Bill No. 873—An act to validate the organization and existence of school districts, high school districts, and junior college districts of every kind and class;

Also: Assembly Bill No. 1064—An act to amend section 1610 of the Political Code, relating to schools;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—11; absent—4.

SLATER, Chairman.

Senate Bill No. 567 ordered on file for second reading.

Assembly Bills Nos. 417, 516, 858, 860, 873 and 1064 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1172—An act to amend section 1590 and section 1733 of the Political Code, relating to schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—11; absent—4.

SLATER, Chairman.

Assembly Bill No. 1172 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 570—An act to amend section 1609 of the Political Code, relating to persons employed in public school service;

Also: Assembly Bill No. 207—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code, to be numbered 1617a, relating to the sale or lease of real property by school districts, high school districts, and junior college districts;

Also: Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bills Nos. 570 and 207 ordered on file for second reading.

Senate Bill No. 566 ordered on file for second reading.

## WITHDRAWAL FROM COMMITTEE.

Senator Jones, II. C., asked for and was granted unanimous consent to withdraw Assembly Constitutional Amendment No. 28 from Committee on Constitutional Amendments for the purpose of amending.

Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the consti-

tution of the State by adding a new section to article IV thereof to be numbered 25 $\frac{1}{2}$ , relating to boxing and sparring matches or exhibitions.

AMENDMENTS FROM THE FLOOR.

During the reading of the constitutional amendment, the following amendments were offered and their adoption moved by Senator Jones, H. C.:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed constitutional amendment, as amended March 22, 1927, after the word "boxing", add a comma, and strike out the following: "and sparring matches", and insert in lieu thereof the following: "sparring and wrestling matches".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 11 and 12, of the printed constitutional amendment, as amended March 22, 1927, strike out lines 11 and 12, and insert in lieu thereof the following: "of wrestling matches or exhibitions and of boxing and sparring matches or exhibitions; *provided*, that no boxing or sparring match or exhibition shall be of more than twelve rounds in length, such rounds to be of not more than three minutes for".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed constitutional amendment, as amended March 22, 1927, strike out the following: "tion to boxing or sparring matches or exhibitions", and insert in lieu thereof the following: "tion to boxing, sparring and wrestling matches or exhibitions".

Amendment adopted.

Assembly Constitutional Amendment No. 28 read, ordered to print, and re-referred to Committee on Constitutional Amendments.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 447—An act to add a new section to the Political Code, to be numbered 1608 $\frac{1}{2}$ , providing courses in forestry, the acquiring by school districts of necessary lands therefor outside such districts, the afforestation and reforestation thereof, and of public lands, and for transportation of pupils.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 447 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended;

Also: Senate Bill No. 193—An act to amend the Political Code, by adding thereto a new section, to be numbered 1894, relating to the sale of school supplies by one district to another.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 475 and 193 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 12—Relative to the appointment of

a State Commission to act for the State, in conjunction with the United States commission created by joint resolution approved December 2, 1924, in the George Washington Celebration to be held in the year 1932.

ARTHUR A. OHNIMUS, Chief, Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Joint Resolution No. 12 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 921—An act to amend section 1775 of the Political Code, relating to certification of teachers;

Also: Assembly Bill No. 1101—An act to amend section 3 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended, relating to election of officers of such companies;

Also: Assembly Bill No. 1209—An act to amend section 2 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the powers of the Los Angeles County Flood Control District;

Also: Assembly Bill No. 1227—An act to amend section 21 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths; the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to applications or petitions to establish births;

Also: Assembly Bill No. 1238—An act to amend section 1 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, as amended, relating to the classification of counties into agricultural districts.

ARTHUR A. OHNIMUS, Chief, Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 921 read first time, and referred to Committee on Education.

Assembly Bill No. 1101 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1209 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1227 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1238 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 18—An act to repeal section 476a and to add a new section to the Penal Code, to be numbered 476b, relating to the drawing and uttering of checks or drafts;

Also: Assembly Bill No. 26—An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same;

Also: Assembly Bill No. 179—An act to add to the Code of Civil Procedure a new section, to be numbered 302, relating to the practice by attorneys in the various courts of record of the State of California;

Also: Assembly Bill No. 252—An act to amend section 4281 of the Political Code, relating to salaries, fees and expenses of officers in counties of the fifty-second class;

Also: Assembly Bill No. 576—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal;

Also: Assembly Bill No. 637—An act to amend section 3 of the Prepared Milk Act relating to the preparation of certain products for poultry or stock feed.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 18 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 26 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 179 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 252 read first time, and referred to Committee on County Government.

Assembly Bill No. 576 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 637 read first time, and referred to Committee on Agriculture and Live Stock.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Concurrent Resolution No. 25—Relative to an investigation and report upon educational facilities for the instruction of the deaf—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Concurrent Resolution No. 25 ordered on file.

#### ADJOURNMENT.

At one o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, April 11, 1927.

#### IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, April 11, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Feilom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—39.

Quorum present.



## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 8, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senator Taylor was, on motion of Senator Weller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Edward L. Hardy, Mr. Jacob Weinberger, Miss Julia Pickett and Mr. Paul Edwards of San Diego, California.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Russell M. MacLennan of Los Angeles, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Dudley Sales of San Francisco, California, and Sheriff R. R. Veale of Martinez, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. William Dunkerly, secretary of Pasadena Chamber of Commerce, of Pasadena, California.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. L. B. Feigenbaum of San Francisco, California, father of Assemblyman B. J. Feigenbaum.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Daniel C. Murphy, Jr., Phil Murphy and Richard Murphy of San Francisco, California, sons of Senator Daniel C. Murphy.

On request of Senator Chamberlin, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Harold J. Stonier of Los Angeles, California, president of the Los Angeles Advertising Club.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Henrietta Dietrich of Stockton, California, and Miss Evans of Sacramento, California.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Henry Jacobs of San Francisco, California.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. A. O. Argo, principal of Sequoia Union High School of Redwood City, and Mr. John Gill, vice principal of Sequoia Union High School of Redwood City.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate bill No. 240—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents;

Also: Senate Bill No. 246—An act to amend section 2322~~4~~7 of the Political Code, relating to the salary of the horticultural commissioner in counties of the forty-seventh class;

Also: Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; provided not less than three printed copies of such code or codes, in book form, have been filed with the clerk;

Also: Senate Bill No. 543—An act to amend section 791 of the Political Code, relating to the number of notaries public in counties of the second class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 240, 246, 247 and 543 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 665—An act to amend section 2322~~4~~2 of the Political Code, relating to salaries of horticultural commissioner in the counties of the forty-second class;

Also: Senate Bill No. 671—An act to amend section 2322~~4~~0 of the Political Code, relating to the salaries of county horticultural commissioners, deputies, and inspectors in counties of the fortieth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 665 and 671 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FORTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, strike out all of said lines 1 and 2 and insert in lieu thereof the following:

SECTION 1. Section 2 of an act entitled "An act empowering and authorizing the board of state harbor commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919, is hereby amended to read as follows:

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 341?

The roll was called, and Assembly amendment to Senate Bill No. 341 concurred in by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Kay, Kline, Maloney, Mueller, Pedrotti, Rush, Sharkey, Slater, Swing, Tabbs, Wagy, Weller, and West—52.

**NOES**—None.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENROLLMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Enrollment, Enrollment and Printing has examined Senate Bill No. 615—An act to amend section 9 of an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the requisition of water rights or construction thereof of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 19, 1913.

Also, Senate Bill No. 624—An act to amend section 452 of the Political Code, relating to the duties of the State Treasurer.

Also, Senate Bill No. 633—An act to amend section 649 of the Civil Code and to add certain new sections to be known as sections 649a, 651a, 651b, 651c and 651d, relating to the incorporation of colleges and seminaries of learning.

Also, Senate Bill No. 634—An act to amend section 14 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification,' and providing for the appointment of a Director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office," approved March 29, 1905," approved May 31, 1917, as amended relating to salaries of the superintendent and employees of Bureau of Criminal Identification.

Also, Senate Bill No. 78—An act to add a new section to the Political Code to be numbered 1624, relating to the sale of school property by one district to another.

Also, Senate Bill No. 86—An act to amend section 1740 of the Political Code, relating to meeting places of high school boards.

Also, Senate Bill No. 192—An act granting to the city of Eureka tide and submerged lands of the State of California including the right to wharf out therefrom to the city of Eureka and regulating the management, use and control thereof.

Also, Senate Bill No. 131—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

Also, Senate Bill No. 141—An act to add two new sections to the Political Code to be numbered 2261 and 2262, relating to establishment of kindergarten service for the blind and for vocational training in schools for the blind.

Also, Senate Bill No. 143—An act to amend section 7 of an act entitled "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, as amended, relating to the collection of liens.

Also, Senate Bill No. 321—An act empowering the State Board of Health, the State Department of Education and the State Department of Public Welfare to carry on their respective functions for the benefit of the Indians of California to the extent that the cost of such services shall be provided for by the Congress of the United States through federal appropriations.

Also, Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools.

Also, Senate Bill No. 493—An act to add a new section to the Political Code to be numbered 1731a, relating to schools.

Also, Senate Bill No. 509—An act to add a new section to the Political Code to be numbered 1607b, relating to the powers and duties of governing boards of school districts.

Also, Senate Bill No. 515—An act to amend section 35 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State



Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended:

Also: Senate Bill No. 617—An act to amend section 1 of an act entitled "An act to provide for the issuance of duplicates of bonds, warrants and other municipal securities which have become defaced or mutilated," approved February 23, 1907:

Also: Senate Bill No. 721—An act to add a new section to the Political Code, to be numbered 441j, relating to the building and maintenance of permanent county fair buildings by the county board of supervisors:

Also: Senate Bill No. 344—An act to amend section 4268 of the Political Code, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class:

Also: Senate Bill No. 277—An act to amend an act entitled "An act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof and for the districting, governing and municipal control of such annexed territory," approved June 11, 1913, as amended, by amending section nine of said act to provide for the preservation of the status of special improvement proceedings:

Also: Senate Bill No. 278—An act to amend section 1 of an act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended, relating to bonds of contractors on public work:

Also: Senate Bill No. 297—An act to amend sections 7 and 9 of an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended:

Also: Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area:

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1927, at 4 o'clock and 40 minutes p.m.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in *habeas corpus* cases—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

#### MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 530—An act to amend section 1578 of the Code of Civil Procedure, relating to the manner of obtaining authority to mortgage or execute a deed of trust of the property of estate of decedents or of persons under guardianship:

Also: Assembly Bill No. 531—An act to amend section 1579 of the Code of Civil Procedure, relating to the manner of obtaining an order to lease the real property of the estate of a decedent or of a person under guardian:

Also: Assembly Bill No. 532—An act to amend section 1580 of the Code of Civil Procedure, relating to the sale of mining property of the estate of a decedent or of a person under guardianship.

ARTHUR A. O'HANIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 530, 531 and 532 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 216—An act to amend section 4 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of



district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments: to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the posting of notices with reference to the time of payment of wages, the place where wages shall be paid, manner of payment, payment in case of strikes and penalties for violations thereof, so as to make the civil penalty for failing to pay the wages of workers monthly or semi-monthly entirely independent of the criminal penalty, to provide for the bringing of the civil actions for the said penalties by the said commissioner in the name of "The People of the State of California," delegating to the said commissioner and his attorneys the authority to so proceed and to provide for the consolidation of several causes of action for the said penalties without separately stating them, also for the payment of such penalties without suit;

Also: Assembly Bill No. 103—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution, so as to give wage claimants the right to levy execution on one-half of the wages due a judgment debtor.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 460—An act to amend sections 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, and 1290 of the Code of Civil Procedure, and to add four new sections to said code to be numbered 1280, 1291, 1292, and 1293, relating to arbitration and awards;

Also: Assembly Bill No. 765—An act to amend the title and sections 5 and 17 of an act entitled "An act authorizing the creation, government and maintenance of county sanitation districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, and to add thereto three new sections to be numbered 4½, 5½ and 23½, relating to the annexation by county sanitation districts of contiguous territory, the compensation of directors of such districts, and the dissolution of such districts;

Also: Assembly Bill No. 939—An act to amend section 4048 of the Political Code, relating to bids and prices on county supplies, printing and advertising.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### REPORTS OF STANDING COMMITTEES—(RESUMED).

##### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 4, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 247—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section, to be numbered 20b, relating to a reservation of a portion of the waters originating within a county for use within said county of origin and providing for the appropriation and use of such water, declaring all portions of said "Water Commission Act" not inconsistent with this amendment to be applicable thereto, and declaring the provisions of section 46 of said "Water Commission Act" to be applicable to this amendment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—4; noes—2; absent—1.

EVANS, Chairman.

Assembly Bill No. 247 ordered on file for second reading.

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443, and 1760 of the Political Code, relating to education, and making an appropriation therefor;

Also: Senate Bill No. 281—An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended and to add a new section thereto to be known as section 8h;

Also: Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor:

Also: Senate Bill No. 637—An act declaring that certain lands situate in the city of Oakland, county of Alameda, State of California, are not tidelands and releasing any claim that the State of California may have in and to said lands:

Also: Senate Bill No. 860—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended:

Also: Senate Bill No. 244—An act to amend section 2 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved May 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts one and four and one-half and to add a new section to said act to be numbered 542, relating to fish and game district number 27:

Also: Senate Bill No. 880—An act to amend section 3664*d* of the Political Code, relating to assessment and taxation of franchises:

Also: Senate Bill No. 245—An act to amend section 626 of the Penal Code, relating to the protection of game:

Also: Senate Bill No. 260—An act to add a new section to the Civil Code, to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance:

Also: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors:

Also: Senate Bill No. 882—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 15, 16, 18 and 19 of an act entitled, "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended:

Also: Senate Bill No. 881—An act to add new sections to the Civil Code to be numbered 405, 406, 408 and 409, relating to foreign corporations:

Also: Senate Bill No. 879—An act to amend sections 3627, 3627*a*, 3628, 3650 of the Political Code, all relating to revenue and taxation:  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

ON RULES.

SENATE CHAMBER, SACRAMENTO. April 11, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Wagy to introduce a bill entitled—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*ag*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Iuman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Fellom, to introduce a bill entitled—An act to provide for the appointment of a commission to be known as the Carquinez Straits Bridge Commission to investigate the Carquinez Straits Bridge and any matters connected therewith or with bridges across the Carquinez Straits, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of the existing bridge by the State with a plan for financing its acquisition and

the amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the State Highway System; or the construction of other bridges across such straits and any other pertinent matters relating to the same problem. has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent 1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—32.

NEES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following bills were introduced:

By Senator Waggy: Senate Bill No. 884—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*ag*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same.

Bill read first time, and referred to Committee on Judiciary.

By Senator Fellom: Senate Bill No. 885—An act to provide for the appointment of a commission to be known as the Carquinez Straits Bridge Commission to investigate the Carquinez Straits Bridge and any matters connected therewith or with bridges across the Carquinez Straits, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of the existing bridge by the State with a plan for financing its acquisition and the amortization of the costs by tolls; the bridge then to become a free bridge and be a part of the State Highway System; or the construction of other bridges across such straits and any other pertinent matters relating to the same problem.

Bill read first time, and referred to Committee on Rules.

#### PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Senator Ingram:

##### BOARD OF SUPERVISORS OF PLACER COUNTY.

WHEREAS, There is now before the Legislature of the State of California a bill, generally known as the Cloudman Bill, in relation to a resumption of hydraulic mining in California; and

WHEREAS, It is well known there are millions of dollars yet in the hills and mountains of Placer and many other counties in this State which could be extracted by hydraulic mining and in no other manner; and

WHEREAS, This board of supervisors is firmly convinced that hydraulic mining could be resumed in California, under proper restrictions and upon a paying basis, with no resultant damage to anyone; and

WHEREAS, Said board believes it would be of incalculable benefit to the entire State, if hydraulic mining should again be permitted, under proper safeguard, in California; it is therefore ordered and

Resolved, That this board of supervisors does respectfully urge and recommend to the Legislature and to the Governor of the State of California that the Cloudman Bill be passed and approved, and that the resumption of hydraulic mining in California, under proper restrictions, be encouraged in every possible way.



The foregoing resolution was passed by the board of supervisors at their regular meeting April 5, 1927.

WM. HAINES,  
Chairman of the Board of Supervisors.

Attest: A. S. FLEMING,  
Clerk of the Board of Supervisors.

Also:

CITY OF AUBURN.

WHEREAS, The people of the city of Sacramento did, upon the fifth day of April, 1913, authorize a bond issue of \$700,000 with which to purchase the two blocks, Ninth and Tenth, L to N street, in said city; and

WHEREAS, Said blocks were thereafter purchased and presented to the State of California upon which to erect additional buildings for the purpose of housing State departments; and

WHEREAS, Up to this time the people of said city have remained passive upon the removal of State departments from said city to other cities of the State because of shortage of housing facilities; but

WHEREAS, The State has now caused to be erected upon the land deeded to the State two magnificent office buildings and no shortage of housing facilities is now apparent; and

WHEREAS, Because of the deeding of the two said blocks of land to the State, the same has been removed from the tax rolls of said city; and

WHEREAS, It is the direct provision of the law that Sacramento shall be the State capital; and

WHEREAS, Senate bills numbered from 778 to 780, inclusive, and from 798 to 801, inclusive, provide for the return to the State capital of the departments, boards and bureaus; therefore, be it

*Resolved*, That the board of trustees of the city of Auburn go on record as being heartily in favor of the passage of said bills; and be it further

*Resolved*, That the board of trustees of the city of Auburn use all honest endeavors to bring about the passage of said bills; and be it further

*Resolved*, That a copy of these resolutions be forwarded to the members of the Legislature of this district requesting such legislators to aid in every honorable way the passage of such measures.

Unanimously adopted by the city council on date of March 9, 1927.

M. D. LININGER,

President of the Board of Trustees of the City of Auburn.

Attest: MARY H. WALLACE, City Clerk.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 76—An act to amend section 4 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, so as to require the keeping of records of the names and hours worked by female employees in all occupations subject to the provisions of the act, which records shall be accessible at all reasonable hours to the Commissioner of the Bureau of Labor Statistics, his deputies and agents, to whom is delegated the duties of enforcing the provisions of the act, and making proof that any defendant was the manager or superintendent of any place of employment subject to the provisions of the act, at the time any female is alleged to have



been employed therein in violation thereof, prima facie evidence that the said defendant employed and suffered and permitted the said female to so work, so as to bring him within the penal provisions of the said act; also making the records required by this act prima facie evidence, sufficient to sustain a conviction, if they show a violation of this act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Concurrent Resolution No. 25—Relative to an investigation and report upon educational facilities for the instruction of the deaf.

#### COMMITTEE AMENDMENT.

During the reading of Senate Concurrent Resolution No. 25, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 1, lines 26 and 27, of the printed bill, strike out the words "two thousand five hundred", and insert in lieu thereof the words "one thousand".

Amendment adopted.

Senate Concurrent Resolution No. 25 read, ordered to print, engrossment, and on file.

Senate Bill No. 567—An act to amend section 1859 of the Political Code, relating to the length of the school term.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 3 of the printed bill, beginning with and including line 44, strike out all of the remaining material on page 3 and all of the material on page 4 and all of the material on page 5 up to and including line 22, and insert in lieu thereof the following:

Seventh—When he finds that the service makes it necessary and desirable, to issue temporary certificates (1) to the holders of credentials issued by the state board of education, (2) to the holders of credentials or recommendations approved by the state board of education, (3) to the holders of valid school certificates issued in accordance with law by any county, or city and county, board of education in this state. Said certificates will authorize the same kind of services in the same grades, classes, or types of schools as that authorized in the credential, recommendation, or certificate upon which any such certificate is issued.

A temporary certificate issued between July first and December first shall expire on the January first following, and a temporary certificate issued between December first and June twenty-ninth shall expire on the July first following; *provided*, that no person shall be entitled to receive a temporary certificate of the same type and grade more than once in the same county.

Eighth—To issue to persons in training for the teaching service "preliminary certificates" of a temporary character. A preliminary certificate shall be issued to the holder of a recommendation from a California institution authorized by the state board of education to train teachers and shall authorize the holder thereof to do cadet-teaching without salary; *provided*, that such cadet-teaching shall be of the same kind in the same grades, classes, or types of schools as specified in the recommendation.

No such preliminary certificate shall be granted for a period exceeding two years, nor shall the superintendent of schools collect a fee therefor.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 43—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 763—An act to amend sections 1357 and 1359 of the Political Code, relating to absent voters.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1170—An act to add a new section to the Political Code, to be numbered 1197c, relating to a means of distinguishing between similar names on the ballot.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1231—An act to add a new section to the Political Code, to be numbered 736b, prescribing the payment of compensation of judges of the superior court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 34—An act to amend sections 1 and 2 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, by making its application universal, prescribing penalties for violation thereof, and making it mandatory to insert in such advertisements the name of the person, firm, association or corporation placing the advertisement and making the appearance of this name in connection with the advertisement prima facie evidence as to the person, firm or corporation responsible for the advertisement.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 108—An act to amend section 4264 of the Political Code, relating to the salaries of county officers of the counties of the thirty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 133—An act to amend sections 2322, 21 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 148—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 149—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 211—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 230—An act to amend section 2322 of the Political Code, relative to the horticultural commissioner of counties of the nineteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 253—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 258—An act to amend section 19,116 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the sixteenth class and providing an additional assistant probation officer in counties of said class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 307—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 310—An act confirming and validating the boundaries of counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 398—An act to amend section 2322,116 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies and inspectors in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 400—An act to amend section 2322,29 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies, inspectors, and clerk of the counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 430—An act to amend section 4278 of the Political Code, relating to salaries and fees of officials in counties of the forty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 467—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 475—An act to amend section 19,116 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and certain cases providing for their care, custody and maintenance; providing for the

probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court law approved March 8, 1908, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 509—An act to amend section 4300*i* of the Political Code, relating to fees of the public administrator.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 565—An act to amend subdivision 42 of section 2322 of the Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 672—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 706—An act to amend section 2322*z*31 of the Political Code, relating to the creation of deputies of the horticultural commissioner for the counties of the thirty-first class and the fixing of their salaries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 717—An act to amend section 2322*z*12 of the Political Code, relating to expenses, fees and salaries of the horticultural commissioner, his deputies, assistants, and inspectors, and fixing the number, thereof, in counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 718—An act to amend section 2322*z*13 of the Political Code, relating to salary and expenses of the county horticultural commissioner in counties of the thirteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 741—An act to amend section 2322*z*15 of the Political Code, relating to salary and compensation of horticultural commissioner in counties of the fifteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 743—An act to amend section 4244 of the Political Code, relative to fees and compensation of officers in the counties of the fifteenth class.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 749—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 810—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1075—An act to amend section 4242 of the Political Code, relating to the salaries, fee and expenses of officers in counties of the thirteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1081—An act to amend section 2322x5 of the Political Code, relating to salaries of county horticultural commissioner, inspectors and clerks in counties of the fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 27—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School, and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved and all amendments thereof and all acts or parts of acts inconsistent herewith."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1157—An act to add a new section to the "Weights and Measures Act," approved June 16, 1913, as amended, to be numbered 17x2, relating to the salaries of the sealer of weights and measures and deputies in counties of the second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1196—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 652—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, line 3, of the amended printed bill, after the words "per annum"; strike out the remainder of line 3, all of line 4, and the word "annum;" in line 5.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 50, of the amended printed bill, after the word "annum", strike out the period and add the following: "; the said deputies to be paid at the same time and out of the same fund as the recorder's salary is paid".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 3, line 2, of the amended printed bill, after the word "folio", strike out the period and add the following: "upon certifying to the auditor the actual number of folios so recorded. The said copyists may be appointed deputies without extra compensation."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3 of the amended printed bill, strike out lines 3, 4, 5, 6, 7, 8 and 9, and insert in lieu thereof the following:

4. The auditor, three thousand dollars per annum; *provided*, that in counties of this class the auditor shall be allowed one deputy at a salary of one thousand five hundred dollars per annum; *and provided, further*, that in counties of this class the auditor shall be allowed such additional clerks and copyists as he may require and whose compensation in the aggregate shall not exceed the sum of one thousand dollars in any one calendar year. The deputy, clerks and copyists named herein shall be appointed by the auditor and their salaries shall be paid in the same manner and at the same time and out of the same fund as the salary of the auditor is paid.

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 3, line 39, of the amended printed bill, strike out the words "one thousand eight hundred", and in lieu thereof insert the words "two thousand one hundred".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 6 of the amended printed bill, strike out lines 16 and 17, and insert in lieu thereof the following: "the amount".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 3, line 38, of the printed bill, as amended, strike out the following: "deputy and".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3, line 39, of the printed bill, strike out the word "expert".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 3, line 43, of the printed bill, as amended, strike out the following: "deputy and draftsman", and insert in lieu thereof the following: "draftsman and said rural appraiser".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 656—An act to amend section 4273 of the Political Code, relating to fees and salaries of officers in counties of the forty-fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended April 1, 1927, strike out lines 47 to 51, inclusive, and the word "he" in line 52, and insert in lieu thereof the following "12. The county surveyor".

**Amendment adopted.**

AMENDMENT NUMBER TWO.

On page 4, line 34, of the printed bill, as amended April 1, 1927, strike out the word "juror", and insert in lieu thereof the word "witness".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 757—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, as amended, after the word "be", insert the following: "one undersheriff at two thousand four hundred dollars per annum to be paid in equal monthly installments;"

**Amendment adopted.**

AMENDMENT NUMBER TWO.

On page 2, line 19, of the printed bill, as amended, after the word and semicolon "installments;", insert the following: "one chief criminal deputy sheriff at two thousand four hundred dollars per annum to be paid in equal monthly installments;"

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1245—An act to aid improvement, drainage and reclamation by authorizing certain improvement in and about the city of San Diego and as a means thereof creating a reclamation district to be called and known as the "Bayside Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 37, of the printed bill, as amended, after the word and comma "thirty-six," add the following: "two hundred forty,"

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 471—An act to amend section 1650 of the Political Code, relating to the duties of the clerks of school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 516—An act to approve, confirm, ratify and validate sales and conveyances of real property made by schools districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 858—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 860—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 873—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1064—An act to amend section 1610 of the Political Code, relating to schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1172—An act to amend section 1590 and section 1733 of the Political Code, relating to schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 570—An act to amend section 1609 of the Political Code, relating to persons employed in public school service.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 18, of the amended printed bill, strike out the word "fifth", and insert in lieu thereof the word "third".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 18, of the amended printed bill, following the word "year", insert a period.

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 19, of the amended printed bill, strike out the word "in", and insert in lieu thereof the word "In".

Amendment adopted.



## AMENDMENT NUMBER FOUR

On page 2 line 26, of the amended printed bill, strike out the "s" in the word "counts"

Amendment adopted.

## AMENDMENT NUMBER FIVE

On page 2 line 26, of the amended printed bill, strike out the words "as provided" and insert in lieu thereof the words "in furtherance of the purpose of the act."

Amendment adopted.

## AMENDMENT NUMBER SIX

On page 3 of the amended printed bill, strike out all of lines 7 to 10 inclusive, and insert in lieu thereof the following:

Sec. 7. There shall be no permanent employment of persons, except those hereinafter specified, who shall have been previously employed by the district for two or three years, except in cases where there is a vacancy resulting from the death, disability, resignation or discharge of an employee of the district. No person employed as an administrator or supervisor having supervisory qualifications shall be considered as a permanent employee until there is a discharge of an employee.

Amendment adopted.

## AMENDMENT NUMBER SEVEN

On page 4 of the amended printed bill, strike out all of lines 9, 10 and 11.

Amendment adopted.

## AMENDMENT NUMBER EIGHT

On page 4 line 20 of the amended printed bill, after the word "and", and before the word "person", insert the word "has".

Amendment adopted.

## AMENDMENT NUMBER NINE

On page 4 line 26, of the amended printed bill, strike out all of lines 25, 26 and 27, and insert in lieu thereof the following:

And whenever a person under the provisions of this section has appeal to the state board of education for a certificate of fitness. The decision of the state board of education shall be final.

Amendment adopted.

## AMENDMENT NUMBER TEN

Strike out all of the material on page 4 of the amended printed bill, between lines 27 and 28, inclusive, and insert in lieu thereof the following:

Nothing in this act shall be construed so as to exempt or exempt any provision concerning the employment of school teachers employed on the charter of any city, county, or city and county government, or otherwise placed and employed in conformity with article XI of the constitution of this state.

Amendment adopted.

## AMENDMENT NUMBER ELEVEN

On page 4, line 32, of the amended printed bill, strike out the word "appeal" and insert in lieu thereof the word "request".

Amendment adopted.

## AMENDMENT NUMBER TWELVE

On page 4 of the amended printed bill, the portion of the last two paragraphs shall be amended; the paragraph now comprising lines 34 to 35 inclusive, being inserted immediately after line 33, and the paragraph now being properly renumbered.

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 4, following line 52 of the amended printed bill, insert a new paragraph to read as follows:

Fifth—If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 207—An act to repeal section 1617 $\frac{1}{2}$  of the Political Code and to add a new section to said Political Code, to be numbered 1617*a*, relating to the sale or lease of real property by school districts, high school districts, and junior college districts.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out period following the word "same", and insert in lieu thereof a semicolon and the following: "*provided, however,* that the funds derived from such sale shall be used for capital outlay."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors

thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

Senate Bill No. 33—An act to amend section 2 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913, relating to wages earned in seasonal labor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 33 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 35—An act to regulate employment where the work is to be performed outside of this State by persons hired within this State, and prescribing punishment for the violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 35 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1215—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same.

On motion of Senator Kline, Assembly Bill No. 1215 was ordered re-referred to Committee on Finance.

#### CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bills Nos. 1263, 1264, 1265 and 1266 heretofore set as special order for eleven o'clock and thirty minutes a.m., the same were taken up.

#### IN COMMITTEE OF THE WHOLE.

At eleven o'clock and thirty-two minutes a.m., on motion of Senator Breed, the Senate resolved itself into Committee of the Whole, the

President in the chair, for the purpose of seeking certain information from Mr. A. R. Heron, chairman of the Board of Control, in connection with the consideration of Assembly Bills Nos. 1263, 1264, 1265 and 1266.

COMMITTEE OF THE WHOLE RISES.

At twelve o'clock and thirty-three minutes p.m., Senator Breed moved that the Senate do now rise and continue the hearing on Assembly Bills Nos. 1263, 1264, 1265 and 1266 at two o'clock p.m.

Motion carried.

IN SENATE.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of one o'clock and thirty minutes p.m.

RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Senate Bill No. 645 to Senator Wagy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate March 31, 1927, strike out lines 12 to 14, both inclusive, and insert in lieu thereof the following: "or the dividing for the purpose, whether immediate or future, of sale of a parcel of land into two or more lots as defined herein in connection with the laying out of a private or public street, road or way as a means of access thereto."

AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, as amended in the Senate March 31, 1927, strike out the period after the word "act", and insert in lieu thereof the following: ", nor shall anything contained herein authorize the recordation of any map except in accordance with the conditions of this act, except as in this paragraph provided."

AMENDMENT NUMBER THREE.

On page 5, line 12, of the printed bill, as amended in the Senate March 31, 1927, insert a period after the word "act", and strike out the following matter in said line 12: "and no defect in such indorsements or".

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, as amended in the Senate March 31, 1927, strike out all of lines 13 and 14, and the following portion of line 15: "or plat.", and insert in lieu thereof the following: "No failure of such approved map or plat to comply with



the provisions of this act and no defect in such endorsements or acknowledgments made on such approved map or plat shall affect, defeat or render invalid the title of any lot or parcel of land sold, transferred or encumbered, whether voluntarily or involuntarily, by reference to said map or plat."

#### AMENDMENT NUMBER FIVE.

On page 5, line 15, of the printed bill, as amended in the Senate March 31, 1927, strike out the word "same", and insert in lieu thereof the word "said".

#### AMENDMENT NUMBER SIX.

On page 5 of the printed bill, as amended in the Senate March 31, 1927, strike out all of lines 30 to 52, both inclusive.

#### AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, as amended in the Senate March 31, 1927, strike out all of lines 1 to 8, both inclusive.

#### AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, as amended in the Senate March 31, 1927, strike out all of lines 17 to 43, both inclusive.

#### AMENDMENT NUMBER NINE.

On page 7, line 3, of the printed bill, as amended in the Senate March 31, 1927, strike out the words "as defined herein", and insert in lieu thereof the words: "or parcel of land".

#### AMENDMENT NUMBER TEN.

On page 7 of the printed bill, as amended in the Senate March 31, 1927, strike out the following in line 9: "and no".

#### AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, as amended in the Senate March 31, 1927, strike out all of lines 10, 11 and 12, and insert in lieu thereof the following: "or has been validated by subsequent acts of the Legislature, or unless such map has been made or executed in accordance with the laws or regulations of the United States relating to land surveys."

#### AMENDMENT NUMBER TWELVE.

On page 7, line 25, of the printed bill, as amended in the Senate March 31, 1927, strike out the semicolon after the word "void", and insert in lieu thereof the following: "except as otherwise provided in the curative provisions of section 4 of this act: *provided, however,* that nothing contained in this act shall affect the title of any lot or parcel of land sold, transferred or encumbered, whether voluntarily or involuntarily, by metes and bounds contrary to the provisions of this act."

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 645, with instructions to amend, respectfully reports the same back, amended as per instructions.

WAGY, Special Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print and re-engrossment.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 256—An act to add a new section to the Penal Code to be numbered 330b prohibiting the operation of vending machines or other mechanical devices by persons under the age of eighteen years—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 714—An act to create a new section, to be numbered section 876a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to depository funds of cities of the sixth class in banks—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 630—An act to amend section 10 of the Political Code, referring to holidays.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 630 to Senator Mueller, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, following the word "of", insert the words "November of".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 630, with instructions to amend, respectfully reports the same back, amended as per instructions.

MUELLER, Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print.

Assembly Bill No. 422—An act to amend section 1469 of the Code of Civil Procedure, relating to the administration of estate not exceeding \$2,500 in value.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 422 to Senator Hurley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 12, of the printed bill, strike out the word "administrations", and insert in lieu thereof the word "administration".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 422, with instructions to amend, respectfully reports the same back, amended as per instructions.

\* HURLEY, Special Committee.

Report read, and on motion on Senator Christian adopted.

Bill ordered to print.

Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of twenty-fifth class.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 417 to Senator Boggs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 4, 1927, strike out lines 1 and 2.

## AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, as amended April 4, 1927, strike out the word "fifty", and insert in lieu thereof the word "twenty-five".

## AMENDMENT NUMBER THREE.

On page 2, lines 15 and 16, of the printed bill, as amended April 4, 1927, strike out the following: "one hundred seventy-five", and insert in lieu thereof the following: "two hundred".

## AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, as amended April 4, 1927, strike out lines 13 and 14, and insert in lieu thereof the following:

12. The surveyor shall receive the sum of four thousand dollars (\$4,000) for the period beginning with the date upon which this act becomes effective and ending December 31, 1927, and thereafter a salary of four thousand dollars (\$4,000) per annum, for all work performed for the county, and in addition thereto he shall receive his actual traveling and other necessary expenses incurred by him while engaged in work for the county; said salary shall be paid in the manner and out of the same fund as the salaries of county officers are paid.

## AMENDMENT NUMBER FIVE.

On page 5, line 35, of the printed bill, as amended April 4, 1927, strike out the word "justices", and insert in lieu thereof the following: "Justices".

## AMENDMENT NUMBER SIX.

On page 7 of the printed bill, as amended April 4, 1927, strike out lines 31 to 40, both inclusive.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 417, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

## MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Inman moved to reconsider the vote whereby Senate Bill No. 189 was refused passage.

## POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Inman, further consideration of the motion to reconsider the vote whereby Senate Bill No. 189 was refused passage was continued until the next legislative day.

## COMMITTEE OF THE WHOLE.

At two o'clock and three minutes p.m., on motion of Senator Breed, the Senate resolved itself into Committee of the Whole, the President of the Senate in the chair, for the purpose of further considering Assembly Bills Nos. 1263, 1264, 1265 and 1266.

## PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and thirty minutes p.m., Hon Arthur H. Breed, President pro tempore of the Senate, in the chair.

## LIEUTENANT GOVERNOR IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

## COMMITTEE OF THE WHOLE RISES.

At three o'clock p.m., Senator Breed moved that the Senate now rise for further consideration of Assembly Bills Nos. 1263, 1264, 1265 and 1266 in the Senate.

Motion carried.

## IN SENATE.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## CONSIDERATION OF SPECIAL ORDER.

Assembly Bill No. 1265—An act to amend sections 3627, 3627a, 3628, 3650 of the Political Code, all relating to revenue and taxation.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 1265 to Senator Breed, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended, strike out lines 6 to 9, both inclusive, and the following words in line 10: "less than the full cash value thereof."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1265, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

Assembly Bill No. 1263—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 15, 16, 18 and 19 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1263 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Welser, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 1264—An act to add five new sections to the Civil Code to be numbered 405, 406, 408, and 409, relating to foreign corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1264 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1266—An act to amend section 3664*d* of the Political Code, relating to assessment and taxation of franchises.

Bill read third time.

#### PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, West, and Young—36.

NOES—None.

Assembly Bill No. 1266—An act to amend section 3664*d* of the Political Code, relating to assessment and taxation of franchises.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1266 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATOR TUBBS IN THE CHAIR.

At three o'clock and thirty-two minutes p.m., Senator Tubbs of the Nineteenth District was called to the chair.

#### UNFINISHED BUSINESS FILE.

Senate Bill No. 323—An act to amend the Civil Code of the State of California by adding thereto a new section, to be numbered 642*b*, relating to the investment of moneys with building and loan associations.

## SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 323, read previously.

The question being: Shall Senate Bill No. 323 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—37.

Senate Bill No. 134—An act to add a new section to be numbered 4235m to the Political Code, relating to the sheriff's special fund.

## SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 134, read previously.

The question being: Shall Senate Bill No. 134 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

## MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Senate Concurrent Resolution No. 10 was refused passage.

## POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Lyon, further consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 10 was refused adoption was continued until the next legislative day.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relative to the general powers of supervisors.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1006, as amended April 7, 1927, to Senator Boggs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 5, line 33, of the printed bill, as amended April 7, 1927, before the word "To", insert the figure "10".

## AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended April 7, 1927, strike out lines 2 to 5, inclusive, and insert in lieu thereof the following: "provided in section 4048 of the Political Code, with the exception of advertising."

## AMENDMENT NUMBER THREE.

On page 7, line 23, of the printed bill, as amended April 7, 1927, strike out the word "therin", and insert in lieu thereof the word "therein".

## AMENDMENT NUMBER FOUR.

On page 10, line 34, of the printed bill, as amended April 7, 1927, insert the following:

40d. To appropriate and expend money from the general fund of the county for the following purposes.

(a) The construction of works, improvements, levees or check dams to prevent the overflow and flooding of streams and rivers in the county;

(b) The protection and reforestation of the watersheds of such streams and rivers;

(c) The conservation of the flood waters of such streams and rivers;

(d) The making of all surveys, maps and plats necessary to carry out any work, construction or improvement authorized by this subdivision;

(e) The carrying out of any work, construction or improvement authorized by this subdivision outside the county where such rivers or streams flow in or through more than one county.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1006, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 281—An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, and to add a new section thereto to be known as section 8h.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 281 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Inman, granted leave of absence for the remainder of this day.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

LIEUTENANT GOVERNOR IN THE CHAIR.

At four o'clock and forty-seven minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Senate Bill No. 846—An act to add four new sections to the Political Code, to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 846 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Evans, Gray, Handy, Hollister, Ingram, Jones, Ray; Kline, Lyon, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—23.

NOES—Senators Canepa, Cobb, Crowley, Fellom, Garrison, Inman, Johnson, Jones, H. C., Maloney, McKinley, and Murphy—11.

#### NOTICE OF MOTION TO RECONSIDER.

Senator Breed gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 846 was passed.

#### POINT OF ORDER.

Senator Sharkey raised the point of order that Senator Breed's motion to reconsider the vote whereby Senate Bill No. 846 was passed was out of order because Senate Bill No. 846 had on a previous date been held for reconsideration.

#### DECISION ON POINT OF ORDER.

The President announced he would render his decision on Senator Sharkey's point of order on the next legislative day.

#### USE OF SENATE CHAMBER GRANTED.

Senator Crowley asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing on bills before the Committee on Public Health and Quarantine at eight o'clock and thirty minutes p.m. on the evening of April 11, 1927.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

##### SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 76—An act to amend section 4 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, so as to require the keeping of records of the names and hours worked by female employees in all occupations subject to the provisions of the act, which records shall be accessible at all reasonable hours to the Commissioner of the Bureau of Labor Statistics, his deputies and agents, to whom is delegated the duties of enforcing the provisions of the act, and making proof that any defendant was the manager or superintendent of any place of employment subject to the provisions of the act, at the time any female is alleged to have been employed therein in violation thereof, prima facie evidence that the said defendant employed and suffered and permitted the said female to so work, so as to bring him within the penal provisions of the said act, also making the records required by this act prima facie evidence, sufficient to sustain a conviction, if they show a violation of this act: Also Senate Bill No. 567—An act to amend section 1859 of the Political Code, relating to the length of the school term;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON PUBLIC HEALTH AND QUARANTINE.

##### SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 476—An act authorizing the establishment of municipi-



pal and county laboratories for the diagnosis of communicable disease and requiring the State Board of Health to issue certificates of approval for such laboratories—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CROWLEY, Chairman.  
MURPHY.  
ALLEN, N. M.  
CANEP.  
CHRISTIAN.  
PEDROTTI.  
GRAY.

Assembly Bill No. 476 ordered on file for second reading.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 478—An act to amend section 764 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, and to add a new section to said act, to be numbered section 752c, relating to powers of boards of trustees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

LYON, Chairman.  
ALLEN, J. M.  
GRAY.  
CROWLEY.  
COBB.  
CHRISTIAN.  
ALLEN, N. M.  
BAKER.

Assembly Bill No. 478 ordered on file for second reading.

#### REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Evans:

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 3804 of the Political Code, relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property.

Request referred to Committee on Rules.

By Senator Swing:

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to provide for a survey of the Santa Ana River Watershed and Basin for flood control and making an appropriation therefor.

Request referred to Committee on Rules.

By Senator Waggy:

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add a new section to be numbered 8a to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the payment of expenses of the sheriffs of the several counties incurred in the forwarding of copies of finger prints,

descriptions of persons arrested or of fugitives from justice or other information to the State Bureau of Criminal Identification.

Request referred to Committee on Rules.

ADJOURNMENT.

At five o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, April 12, 1927.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, April 12, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Burton R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 11, 1927, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Taylor was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. W. R. Fouts, Mr. George N. Hale, Mr. Edwin Fisher, Mr. Henry G. Clement and Mr. Carl Reitman of San Bernardino county.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. George Boullette, Mr. Jacob Weinberger and Miss Julia Pickett of San Diego, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Captain Virgil Butts, Mr. Lester Brittain of Santa Rosa, California; James Keegan of Mirabee Park, California, and Chief of Police Mike Flohr of Petaluma, California.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Professor E. W. Clark, high school superintendent of Venice, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Professor A. R. Clifton, superintendent of schools of Monrovia, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. George V. Moyses of Glendale, California.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. T. H. Rhodes and Mr. A. J. Cloud of San Francisco, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Roy Fellom, Jr., of San Francisco, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. M. M. Fishback, Orange, California; Mr. Paul M. Scott, Riverside, California, and Mr. F. A. Henderson, Orange, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. David R. Burcham, principal of Long Beach Polytechnic High School, and Mr. C. C. Ackerman, principal of Jefferson Junior High School of Long Beach, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Social Problem and History Class, Antioch High School, Contra Costa County, Mr. U. L. Hawkins, teacher, and students as follows: Catherine West, Ruth Beede, Bill Beasley, George Fraser, Pete Donlon, Henry Beede, Marion Grove, Lois Elliott, Ida Herring, Marian Elliott, Robert Wicker, Fredrick Rother, Leigh Peavey, Maxine Cornelius, Jack Nicholls, Edward Smith, John Lynn, Gertrude Minaker, Ruth Evens, Alice Perry, John Edwards, Alice Altizer, Louis Sylveria, Mary Ponti, Mildred Burroughs and Roberta Easley.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. William Inch, principal of Lodi Union High School of Lodi, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Prof. C. J. Boyington of San Jacinto, California, and Prof. Paul Ward of Hemet, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. P. Ingles of Van Nuys, California, and Mr. Thomas Hughes of Los Angeles, California.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Carlos G. Young and Miss Lena Young of Berkeley, California, and Mrs. C. C. Young, Miss Barbara Young and Miss Lucy Young of Sacramento, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mother Francis, president of Ursuline College of Santa Rosa, California, and Mother Augustine of Ursuline College of Santa Rosa, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to principal and

teachers of Linden High School of San Joaquin County, Mr. O. F. Barth, principal, Miss Hope Isreal and Miss A. Smith, teachers, and pupils: Gearald Swartzell, Winona Fontaine, Rita Canessa, Gertrude Cady, Bernice Denton, Bernice Olson, Marilda Potter, Harold Needham, Woodley Seymour, Mary Mourman, Josephine Epp, Harry Chilotti, Merle Vote, Anderson Drace, Irmgard Cady, Maxine Foote, Marie Fonceca, Alberta Drace, Zola Stanley, William Seymour, Elmer Wells, Francis Grupe, Donald Michel, Cecile Willey, Lillian Sayles, Albert Sayles, Floran Vote, Henry Westing, Mary Harrison, Mae Ames, Evan Estys and Teddie Watkins, and Mr. Will Carrol.

On request of Senator Ingram, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. E. C. Eby of Nevada City, California; Mr. E. C. Browne, Placerville, California, and Mr. W. S. Millar, Grass Valley, California.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. Rode, Etna, California, and Mr. James Davis of Los Angeles, California.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 189—An act to amend section 384a of the Penal Code, relating to the protection of Christmas red berry and Christmas tree;

Also: Assembly Bill No. 448—An act to amend section 629 of the Penal Code, relating to the installation and maintenance of fish screens;

Also: Assembly Bill No. 463—An act to amend section 8 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and to add a new section to be numbered section 8a conferring upon the State Department of Finance authority to invest and reinvest the moneys in the public school teachers permanent fund and defining the powers and duties of said department in relation thereto;

Also: Assembly Bill No. 602—An act to add five new sections to be numbered 16a, 16b, 16c, 16d, and 16e to an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to the establishment of an alternative method of procedure for the enforcement thereof by means of the organization and establishment of local food inspection and enforcement divisions of the State Board of Health;

Also: Assembly Bill No. 622—An act to amend section 1243 of the Penal Code, relating to appeals by defendants and the granting of certificates of probable cause.

ARTHUR A. OHNIMUS, Chief, Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 189 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 448 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 463 read first time, and referred to Committee on Education.

Assembly Bill No. 602 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 622 read first time, and referred to Committee on Judiciary.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 644—An act to amend section 2a of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts.'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, approved May 8, 1917, as amended;

Also: Assembly Bill No. 696—An act to add a new section to the Code of Civil Procedure, to be numbered 274c, providing for the appointment, qualifications, official oath, duties, certified transcripts and fees of phonographic reporters for municipal courts;

Also: Assembly Bill No. 744—An act to amend sections 5, 6 and 37 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919, as amended;

Also: Assembly Bill No. 869—An act to amend an act entitled "An act providing for farm and home aid for veterans, defining powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to farm and home aid of widows of deceased veterans.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 644 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 696 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 744 read first time, and referred to Committee on Conservation.

Assembly Bill No. 869 read first time, and referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 994—An act to amend section 4 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the location of the office and branch offices of the Real Estate Commissioner;

Also: Assembly Bill No. 1076—An act to amend section 626 of the Penal Code, relating to the limit of deer that may be killed;

Also: Assembly Bill No. 1189—An act providing for the propounding and prosecution of a claim by and in the name of the State of California against the government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said government of all moneys heretofore paid illegally into the federal treasury as a direct tax upon property situated in the State of California, providing for the recovery of same, authorizing the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this act, providing for notice to and procedure by claimants of such moneys and fixing a prescription period after which such moneys shall escheat to and become the absolute property of the State of California;

Also: Assembly Bill No. 1230—An act providing for the investigation of the supplementary books used in the elementary schools of the State by the Board of Education and requiring a report thereon to be made by said board to the State Board of Control.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 994 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1076 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1189 read first time, and referred to Committee on Federal Relations.

Assembly Bill No. 1230 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1253—An act to provide for the establishment and maintenance of a division of narcotic enforcement under the direction and control of the State Board of Pharmacy;

Also: Assembly Bill No. 1259—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 1253 and 1259 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Senate Concurrent Resolution No. 15—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California;

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of article IV, relating to the expenditure of public money in State aid.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Concurrent Resolution No. 15 and Senate Constitutional Amendment No. 21 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 20—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters;

Also: Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925;

Also: Senate Bill No. 618—An act to amend an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies, and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, by adding a new section thereto

be numbered 6a, declaring breeding places for mosquitoes to be a public nuisance and providing for the abatement thereof.

ARTHUR A. OLINIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 20, 580 and 618 ordered to enrollment.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 8, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 182—An act to amend section 4267 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the thirty-eighth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

HANDY, Vice Chairman.

Assembly Bill No. 182 ordered on file for second reading.

#### AMENDMENT TO SENATE RULES.

Amendment to rules of the Senate, as presented by the Committee on Rules and printed in the Senate Journal of April sixth:

WHEREAS, The approach of adjournment of the Legislature sine die requires that the time of the Legislature be conserved to the utmost; therefore, be it

*Resolved*, That from and after this date, speeches on the floor of the Senate be limited to ten minutes in length for opening speeches and five minutes for all other speeches. Extensions of time beyond said periods may be granted only by unanimous consent.

Senator Breed moved the amendment to the Senate Rules be adopted.

The Secretary was directed to call the roll.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, and Weller—26.

The Secretary announced the absentees.

Time, ten o'clock and forty-five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

##### CONSIDERATION OF DAILY FILE.

##### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 247—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 20b, relating to a reservation of a portion of the waters originating within a county for use within said county of origin and providing for the appropriation and use of such water, declaring

all portions of said "Water Commission Act" not inconsistent with the amendment to be applicable thereto, and declaring the provisions of section 46 of said "Water Commission Act" to be applicable to this amendment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 476—An act authorizing the establishment of municipal and county laboratories for the diagnosis of communicable disease and requiring the State Board of Health to issue certificates of approval for such laboratories.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 478—An act to amend section 764 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, and to add a new section to said act, to be numbered 752c, relating to powers of boards of trustees.

Bill read second time, and ordered on file for third reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 601—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 601 ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 290—An act to amend sections 20 and 8 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts or parts of acts in conflict with this act," approved June 3, 1921, as amended, and adding two sections, to be numbered section 6½ and section 2½—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 290 ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stock-



holders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district, approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit:

Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to deputies to assessor and collector; section 15b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27a, relating to time for completion of assessment roll and time for equalizing assessments; section 27b, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28a, relating to levy of taxes by boards of supervisors; section 28b, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28d, relating to collection of unsecured taxes; section 28e, relating to addition of unpaid water tolls and charges to taxes; section 28f, relating to assessment lien; section 28g, relating to change of assessments and refund of erroneous taxes; section 28h, relating to notice that assessments are due and collection and delinquency of taxes; section 28i, relating to suit against delinquents to collect taxes; section 28j, relating to duty of collector on sale for delinquent taxes; section 28k, relating to sale for delinquent taxes; section 28l, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28m, relating to certificates of sale; section 28n, relating to record book of property sold for taxes and interest on redemption; section 28o, relating to redemption of property and collector's deed; section 28p, relating to delinquent taxes and deed on dissolution of district; section 28q, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28r, relating to assessment roll or delinquent list as prima facie evidence; section 28s, relating to misnomers; section 28t, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28u, relating to settlements between secretary and collector; section 29a, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 110 ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 793. An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article 11i, embracing sections 372 to 372g, relative to a Department of Public Health—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 793 ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 360. An act to amend the "California Water Storage District Act" approved June 3, 1921, as amended by amending the title to said act, and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 32, 31, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19a, and relating to the reapportionment of assessments in case of the subdivision of lands; by adding a new section to be known as 19b, relating to the reassessment of land after a five-year period; by adding a new section to be known as 20a, relating to additional help for county treasurer of any county in which any lands contained in the district are located; by adding a new section, to be numbered 23½, and relating to the allocation of the net returns from the generation of electric power; by adding nineteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q, 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators, to act as owners of title or evidence of title—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 360 ordered on unfinished business file.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Fellom, Garrison and Maloney as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 303.

#### DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order as raised the previous day by Senator Sharkey on Senator Breed's motion to reconsider the vote whereby Senate Bill No. 846 was passed not well taken.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and fifty-seven minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll on the adoption of the proposed amendment to the Senate rules.

The roll was called, and the proposed amendment to the Senate rules adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—Senator Rush—1.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1265—An act to amend sections 3627, 3627a, 3628 and 3650 of the Political Code, all relating to revenue and taxation.

Bill read third time, previously.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 1265 to Senator Breed, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended in the Senate on April 11, 1927, immediately preceding the word "all", insert the following: "and to add thereto a new section to be numbered 3627b,".

## AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended in the Senate on April 11, 1927, following line 49, insert the following:

SEC. 5. A new section is hereby added to the Political Code, to be numbered 3627*b*, and to read as follows:

3627*b*. The term "solvent credit" as used in section 3627*a* of this code shall not include contracts for the sale of personal property subject to taxation under the laws of this state while the title to said personal property is vested in the vendor.

SEC. 6. In the event that it shall be hereafter finally determined by the courts that it is not legal to tax solvent credits in the manner provided in section 3627*a* of the Political Code while excluding from such tax the contracts described in section 3627*b* of said code, then and in that event such contracts shall be taxed as solvent credits in the manner provided in said section 3627*a*.

## AMENDMENT NUMBER THREE.

On page 3 of the printed bill, as amended in the Senate on April 11, 1927, in line 50, strike out the numeral "5", and insert in lieu thereof the numeral "7".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1265, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

LEGISLATIVE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Evans to introduce a bill entitled—An act to amend section 3804 of the Political Code relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Wagy to introduce a bill entitled—An act to add a new section to be numbered 50 to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the payment of expenses of the sheriff's of the several counties incurred in the forwarding of copies of finger prints, descriptions of persons arrested or of fugitives from justice or other information to the State Bureau of Criminal Identification—has had the



same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—37.

NOES—None.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills, etc., were introduced:

By Senator Evans: Senate Bill No. 886—An act to amend section 3804 of the Political Code relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Wagy: Senate Bill No. 887—An act to add a new section to be numbered 8a to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the payment of expenses of the sheriffs of the several counties incurred in the forwarding of copies of finger prints, descriptions of persons arrested or of fugitives from justice or other information to the State Bureau of Criminal Identification.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

#### MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Senate Constitutional Amendment No. 10 was refused adoption.

The roll was called, and the motion to reconsider the vote whereby Senate Constitutional Amendment No. 10 was refused adoption lost by the following vote:

AYES—Senators Baker, Boggs, Breed, Cobb, Evans, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Kline, Lyon, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and Young—23.

NOES—Senators Allen, J. M., Allen, N. M., Canepa, Chamberlin, Christian, Crowley, Fellom, Hurley, Inman, Jones, H. C., Jones, Ray; Maloney, Swing, and West—14.



## MOTION FOR RECONSIDERATION.

Senator Inman moved that further consideration of the motion to reconsider the vote whereby Senate Bill No. 189 was refused passage be continued until the next legislative day.

The question being on Senator Inman's motion to postpone the reconsideration of the vote whereby Senate Bill No. 189 was refused passage.

The Secretary was directed to call the roll.

The roll was called, and Senator Inman's motion to postpone the reconsideration of the vote whereby Senate Bill No. 189 was refused passage lost by the following vote:

AYES—Senators Allen, J. M., Boggs, Cobb, Crowley, Fellom, Garrison, Holister, Hurley, Inman, Johnson, Jones, H. C., Maloney, Murphy, Slater, Swing, and Wagy—16.

NOES—Senators Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Evans, Gray, Handy, Ingram, Jones, Ray, Kline, Lyon, McKinley, Nelson, Pedrotti, Rush, Sharkey, Tubbs, Weller, West and Young—22.

## MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Breed moved to reconsider the vote whereby Senate Bill No. 846 was passed.

## POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Breed, further consideration of the motion to reconsider the vote whereby Senate Bill No. 846 was passed was continued until the next legislative day.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for

carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file to retain its place on file.

Senate Bill No. 562—An act to aid commerce and navigation by authorizing certain improvements in and about South Basin and South Basin canal and as a means thereof creating a reclamation district to be called and known as the "South Basin-South Basin Canal Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works or reclamation; granting to the city and county of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said South Basin-South Basin Canal Reclamation District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 562 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Swing, and Wagy—30.

NOES—Senators Slater, Tubbs, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and four minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 88—An act to amend section 1094 of the Political Code, relating to registration of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 88 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyons, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON RULES.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Swing, to introduce a bill entitled "An act to provide for a survey of the

Santa Ana River Watershed and Basin for flood control and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership=5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, West, and Yeung—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Swing: Senate Bill No. 888—An act to provide for a survey of the works on the Santa Ana River Watershed and Basin for flood control and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

MOTION BY SENATOR NELSON.

Senator Nelson moved that the Senate do now take up Assembly Bill No. 1265.

Motion carried.

Assembly Bill No. 1265—An act to amend sections 3627, 3627a, 3628, 3650 of the Political Code, and to add thereto a new section to be numbered 3627b, all relating to revenue and taxation.

POINT OF ORDER.

Senator Chamberlin raised the point of order that Assembly Bill No. 1265 was being taken up out of order, that neither unanimous consent was given, nor two-thirds vote by roll call, which is required to consider a bill out of order as stated in rule 33 of the standing rules of the Senate.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

LIEUTENANT GOVERNOR IN THE CHAIR.

At twelve o'clock and fifty-five minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

POINT OF ORDER.

Senator Chamberlin raised the point of order that the urgency section in Assembly Bill No. 1265 as appearing in the bill in the Senate on a previous date did not refer to section 1 of article IV of the constitution.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

POINT OF ORDER.

Senator Chamberlin raised the point of order that the urgency section in the present bill does not come under section 1 of article IV of the constitution.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

Bill read third time, previously.

PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—31.

NOES—Senators Allen, N. M., Evans, Lyon, McKinley, Pedrotti, Weller, and West—7.

Assembly Bill No. 1265—An act to amend sections 3627, 3627a, 3628, 3650 of the Political Code, all relating to revenue and taxation.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1265 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, West, and Young—32.

NOES—Senators Allen, N. M., Chamberlin, Evans, Lyon, McKinley, Pedrotti, and Weller—7.

NOTICE OF MOTION TO RECONSIDER.

Senator West gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1265 was passed.

RECESS.

At one o'clock and five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1227—An act to amend section 21 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths; the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars



of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to applications or petitions to establish births—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; noes—1; absent—4.

CROWLEY, Chairman.

Assembly Bill No. 1227 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 839—An act to amend sections 2 and 9 of an act entitled "An act regulating the sanitary conditions of bakeries, prescribing conditions connected with the manufacture and sale of bakery products, and fixing penalties for violation of the provisions thereof," approved June 2, 1921;

Also: Assembly Bill No. 851—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, as amended, relating to the filing of certificates for the practice of optometry;

Also: Assembly Bill No. 852—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended;

Also: Assembly Bill No. 853—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended;

Also: Assembly Bill No. 1216—An act to amend section 6 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended, relating to the application and payment of fees for licenses, registration of licentiates and payment of fees for such registration;

Also: Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Assembly Bills Nos. 839, 851, 852, 853, 1216, and 1217 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 829—An act to amend sections 5, 10, 26, 31, 36, 45, 48, 49, and 60 of the "State Housing Act" approved June 15, 1923, as amended, relating to garages, air intakes, sinks, exits, ceiling heights, gas heaters and ventilation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Assembly Bill No. 829 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 443—An act to amend sections 5 and 12 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it go to printer, and be re-referred to committee.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Senate Bill No. 443 ordered on file for second reading.

#### ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Assembly Bill No. 813—An act to amend section 16 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to appointment to positions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

MALONEY, Chairman.

Assembly Bill No. 813 ordered on file for second reading.

#### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 298—An act to promote the apicultural interests of California by providing for the inspection and disposition of bees, their brood, hives and appliances that are or may be infected with disease, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners, and defining their powers and duties hereunder, providing for the establishment of quarantines to prevent the introduction and spread of disease, declaring box hives and infected bees, their brood, hives and appliances to be a public nuisance and providing for the abatement thereof, providing for the registration of apiaries, prohibiting the sale or removal of infected bees, their brood, hives and appliances without permit, providing penalties for the violation hereof, and repealing an act entitled "An act to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties, and providing for their compensation, and repealing the act entitled 'An act to authorize the boards of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883," approved February 20, 1901, as amended;

Also: Assembly Bill No. 637—An act to amend section 3 of the Prepared Milk Act, relating to the preparation of certain products for poultry or stock feed and licenses therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—9; absent—6.

BOGGS, Chairman.

Assembly Bills Nos. 298 and 637 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 223—An act to amend section 1862 of the Civil Code, relating to the sale at auction of unclaimed baggage;

Also: Assembly Bill No. 224—An act to amend section 341a of the Code of Civil Procedure, relating to actions to recover personal property left in hotels;

Also: Assembly Bill No. 387—An act to amend sections 1 and 3 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, relating to cemetery districts;

Also: Assembly Bill No. 518—An act to amend section 164 of the Civil Code, relating to community property;

Also: Assembly Bill No. 520—An act to amend section 1207 of the Civil Code, providing for the effect of defectively acknowledged and recorded instruments;

Also: Assembly Bill No. 522—An act to amend section 1267 of the Civil Code, providing what the declaration of homestead of a person other than the head of a family must contain;

Also: Assembly Bill No. 523—An act to amend section 671 of the Code of Civil Procedure, relating to the docketing of judgments;

Also: Assembly Bill No. 524—An act to amend section 674 of the Code of Civil Procedure, relating to the recording of copy of judgments, providing for the lien thereof and the extent of such lien;

Also: Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing, or selling real property of the estates of decedents or of persons under guardianship;

Also: Assembly Bill No. 530—An act to amend section 1578 of the Code of Civil Procedure, relating to the manner of obtaining authority to mortgage or execute a deed of trust of the property of estate of decedents or of persons under guardianship;

Also: Assembly Bill No. 531—An act to amend section 1579 of the Code of Civil Procedure, relating to the manner of obtaining an order to lease the real property of the estate of a decedent or of a person under guardian;

Also: Assembly Bill No. 532—An act to amend section 1580 of the Code of Civil Procedure, relating to the sale of mining property of the estate of a decedent or of a person under guardianship;

Also: Assembly Bill No. 535—An act to amend section 1788 of the Code of Civil Procedure, relating to the giving of a bond of guardian before selling or encumbering the estate of a person under guardianship.

Also: Assembly Bill No. 564—An act to amend sections 18 and 19a40 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended;

Also: Assembly Bill No. 690—An act to amend title Xa of the Code of Civil Procedure, relating to civil proceedings in municipal courts;

Also: Assembly Bill No. 691—An act to amend section 927h, of the Code of Civil Procedure to provide for the performance by the marshal of the municipal court of the duties imposed upon the constable and providing for the fees to be charged therefor;

Also: Assembly Bill No. 692—An act to amend section 927p, of the Code of Civil Procedure, to provide for the payment of fees in the small claims court.

Also: Assembly Bill No. 707—An act to amend section 4 of an act entitled "An act to create the office of public defender, to provide for the election of such officers and prescribing their duties and compensation," approved May 24, 1921, relating to the compensation of public defender;

Also: Assembly Bill No. 712—An act to amend section 3787 of the Political Code; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—10; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 223, 224, 387, 518, 520, 522, 523, 524, 529 530, 531, 532, 535, 564, 690, 691, 692, 707 and 712 ordered on file for second reading.



Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 222—An act to amend section 1861a of the Civil Code, relating to the liens of keepers of furnished apartment houses and furnished bungalow courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—7; noes—3; absent—4.

JONES, H. C., Chairman.

Assembly Bill No. 222 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 615—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to the sessions of the superior court and to changes in place of holding the superior court, respectively—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—8; noes—2; absent—4.

JONES, H. C., Chairman.

Assembly Bill No. 615 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 58—An act to add a new section to the Political Code, to be numbered 4049a, relative to publishing information by boards of supervisors;

Also: Assembly Bill No. 521—An act to amend section 1263 of the Civil Code, providing what the declaration of homestead of the head of a family must contain;

Also: Assembly Bill No. 528—An act to add a new section to the Code of Civil Procedure, to be numbered 1308a, relating to orders admitting wills to probate and the certification and recordation of wills;

Also: Assembly Bill No. 533—An act to amend section 1598 of the Code of Civil Procedure, relating to the giving of notice for hearing petitions to complete contracts for sale of real or personal property;

Also: Assembly Bill No. 895—An act to amend section 1401 of the Civil Code, relating to the disposition of community property on the death of either spouse; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 58, 521, 528, 533 and 895 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 761—An act to amend section 47 of the Civil Code relating to privilege publications—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bill No. 761 ordered on file for second reading.

#### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 678—An act providing for the creation and management of the Tamalpais State Park and creating a board of five commissioners, with power to acquire land for the creation of said park, and for additions thereto and to manage and maintain said Tamalpais State Park and to appoint a guardian therefor;

Also: Assembly Bill No. 645—An act to amend sections 26, 32 and 36f of the Water Commission Act, approved June 16, 1913, as amended, relating to water rights;



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bills Nos. 678 and 645 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 1178—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by amending sections 1, 2 and 5 thereof, and by adding three new sections thereto to be numbered 8½, 8½, and 13½, providing for testing the validity of bonds, the issuance of additional bonds, and making applicable the improvement act of 1911 for the construction of the work and acquiring property therefor;

Also: Assembly Bill No. 1209—An act to amend section 2 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the powers of the Los Angeles County Flood Control District;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

EVANS, Chairman.

Assembly Bills Nos. 1178 and 1209 ordered on file for second reading.

#### ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1238—An act to amend section 1 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, as amended, relating to the classification of counties into agricultural districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SWING, Chairman.  
MALONEY.  
FELLOW.  
COBB.  
CHRISTIAN.  
WELLER.  
INGRAM.  
ALLEN, N. M.

Assembly Bill No. 1238 ordered on file for second reading.

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 863—An act to provide for the escheat to the State of California of all moneys collected by any public utility in excess of the rate fixed by the Railroad Commission or other rate fixing body which shall have remained unclaimed for more than four years after the final determination of the legality of such rates and to provide procedure for the collection and disposition thereof and the filing of reports in respect thereto and to provide penalties for the violation of the same—and reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 486—An act to create a harbor district to be called Hueneme Harbor District; to provide for the improvement, development and protection at Hueneme Bay of a harbor and approaches thereto; to provide for the government control, operation and

maintenance of said district and harbor and to define the powers and duties of the officers thereof; to provide for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness for said construction and the voting, issuing and selling of bonds to pay the cost thereof; and to provide for the levy of assessments and taxes by said district and the collection thereof—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 486?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 486 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Weller and West—26.

SENATOR HANDY IN THE CHAIR.

At two o'clock and twenty-three minutes p.m., Senator Handy of the Fourth District was called to the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONCURRENT RESOLUTION No. 22.

Relating to investigation by the Attorney General into the legality of Assembly Bill No. 1206, chapter 65, of the 1925 session of the Legislature, and the contract entered into pursuant to said bill for the sale of the Folsom Reservoir Site.

WHEREAS, The joint legislative committee, under Assembly Concurrent Resolution No. 16 of the 1927 session of the Legislature, has submitted its report to this Legislature; and

WHEREAS, During the deliberations of this committee the question of the validity of Assembly Bill No. 1206, chapter 65, of the 1925 session of the Legislature, and also the legality of the contract entered into pursuant to said bill were brought to the attention of said committee; and

WHEREAS, This committee has by resolution requested the Attorney General to submit his opinion as to the legality of said bill and said contract; therefore, be it

*Resolved by the Senate, the Assembly concurring.* That the Governor of this State be requested to ask the Attorney General, in the event that the Attorney General deems invalid the said legislation of the 1925 session for the sale of the Folsom Reservoir Site, or the contract executed pursuant to said legislation, to institute legal proceedings for the cancellation of said contract and the reacquiring by the State of the title to said property.

Resolution read.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Garrison moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Breed, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, Ray, Maloney, McKinley, Murphy, Slater, Weller, and West—19.

The Secretary announced the absentees.

Time, two o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Garrison.

The Secretary was directed to call the roll on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 22 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Weller, and West—23.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 22 ordered transmitted to the Assembly.

Senate Bill No. 12—An act to amend section 487 of the Penal Code, relating to grand larceny.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 12 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Mueller, Murphy, Rush, Slater, Swing, and Wagy—27.

NOES—Senators Tubbs and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### LEAVE OF ABSENCE.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for this day.

#### SENATE CONCURRENT RESOLUTION No. 23.

Relative to the creation of a committee for the purpose of making a comprehensive study into the subject of grade crossing accidents and delays and reporting thereon to the Legislature of the State of California.

WHEREAS, There has been and now is a large number of accidents, many of them fatal, in the State of California at grade crossings of State and county highways and city streets with steam and electric railroads; and

WHEREAS, The separation of grade crossings is extremely expensive and difficult of financing and the efficacy of less drastic solutions of the problem is a matter of conjecture and controversy; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly concurring,* That there is hereby created a committee of ten members, who shall be appointed by the Governor of the State of California, consisting of representatives to be selected by him from the following bodies, organizations or groups: The California Railroad Commission, California Highway Commission, County Supervisors' Association of California, the California State Automobile Association, the Automobile Club of Southern California, the railroad companies operating within the State of California, the train service brotherhoods, the motor car industries, the electric lines and Motor Carriers' Association.

The committee hereby created shall make a thorough and exhaustive study of grade crossings of the state and county highways and city streets over steam and electric railroads in California, and shall report its investigations, findings, conclusions and recommendations in a report which it shall file with the Governor of the State of California not later than December 1, 1928. Such report shall contain a full statement of facts concerning the nature and extent of hazards existing at grade crossings, number of accidents occurring thereat, the causes thereof and the economic waste caused to the people of California thereby and by the delays and hindrances to traffic on highways and streets and on the railroads. The committee shall also investigate and render in such report the result of this investigation relating to

possible solutions of the problem and shall recommend remedial measures, through separation or other elimination of grade crossings through the removal of obstructions to view of travelers at such crossings, through erection and maintenance of warning signs and devices and the control of traffic at such crossings.

The committee hereby created is hereby authorized and empowered to call to its assistance the Chief of the Division of Motor Vehicles of the State of California and all other officers, deputies and employees of the State and to inspect the records and files of all State, county and city officers and departments in any way relating to grade crossings or accidents or delays to traffic occurring thereat.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Jones, Ray, Kline, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wag, Weller, and West—24.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 23 ordered transmitted to the Assembly.

Senate Bill No. 839—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts, and defining and establishing such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 839 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wag, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RE-REFERENCE OF BILL.

Senator Cobb asked for and was granted unanimous consent to have Senate Bill No. 256 re-referred to Committee on Public Morals.

Senate Bill No. 637—An act declaring that certain lands situate in the city of Oakland, county of Alameda, State of California, are not tidelands and releasing any claim that the State of California may have in and to said lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 637 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



## EXCUSED FROM VOTING.

Senator Breed asked for and was granted unanimous consent to be excused, for the following reasons, from voting on Senate Bill No. 637:

## STATEMENT BY SENATOR BREED.

I wish to explain my reason for requesting that I be excused from voting upon the passage of Senate Bill No. 637.

The property affected by said bill is owned by the Larue Wharf and Warehouse Company, a California corporation.

I am a minority stockholder in said corporation and so stated both during the committee hearing, and also today on the Senate floor.

I therefore requested that I be excused from voting upon the final passage of said bill and did not vote.

## RE-REFERENCE OF SENATE BILL.

Senator Jones, Ray, moved that Senate Bill No. 771 be re-referred to Committee on Manufactures.

Motion carried, and such was the order.

Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 723 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 860—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 860 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## LIEUTENANT GOVERNOR IN THE CHAIR.

At three o'clock and fifty-two minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Senate Bill No. 136—An act to amend section 626*d* of the Penal Code, relating to the bag limit of game.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Young moved to refer Senate Bill No. 136 to Senator Weller, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the words "fifteen wild ducks or twenty-five", and insert in lieu thereof the words "twenty-five wild ducks or".

## AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "twenty-five".

## DIVISION OF QUESTION.

Senator Swing moved that the question be divided.

Motion carried.

The question being on Amendment No. 1.

Motion to refer to Special Committee of One to amend Senate Bill No. 136 as set forth in Amendment No. 1.

Motion carried.

## SUBSTITUTE OFFERED.

Senator Swing moved to substitute the following amendment for the foregoing Amendment No. 2:

## SUBSTITUTE AMENDMENT.

On page 1, line 16, of the printed bill, strike out the word "thirty", and insert in lieu thereof the words "thirty-five".

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Chamberlin, Canepa and Lyon upon Senator Swing's substitute amendment. Whereupon the Secretary was directed to call the roll.

The roll was called.

## CALL OF THE SENATE.

Pending the announcement of the vote, Senator Swing moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

The Secretary announced the absentees.

Time, four o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

## FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Young.

The Secretary was directed to call the roll on the adoption of Senator Swing's substitute amendment No. 2.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Crowley, Fellom, Garrison, Gray, Ingram, Jones, Ray, Kline, Lyon, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Swing, and Tubbs—22.

NOES--Senators Baker, Boggs, Cobb, Evans, Handy, Hollister, Inman, Johnson, Jones, H. C., McKinley, Murphy, Slater, Waggy, Weller, West, and Young--16.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 136, with instructions to amend, respectfully reports the same back, amended as per instructions.

WELLER, Special Committee.

Report read, and on motion of Senator Young adopted.  
Bill ordered to print, and re-engrossment.

MOTION TO RECONSIDER.

Senator Chamberlin moved to reconsider the vote by which substitute amendment No. 2 to Senate Bill No. 136, offered by Senator Swing, was adopted.

MOTION TO SET SPECIAL ORDER.

Senator Chamberlin moved that his motion to reconsider the vote whereby substitute amendment No. 2 to Senate Bill No. 136 was adopted be made a special order for Wednesday, April 13th, at eleven o'clock and thirty minutes a.m.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Chamberlin, Weller and Tubbs upon Senator Chamberlin's motion to set special order. Whereupon the Secretary was directed to call the roll.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Chamberlin moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators--Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller and West--33.

The Secretary announced the absentees.

Time, four o'clock and fifty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

MOTION TO RE-REFER SENATE BILLS.

Senator Nelson moved that Senate Bills Nos. 879, 880 and 881 be re-referred to Committee on Revenue and Taxation.

Motion carried.

RESOLUTION.

The following resolution was offered:

By Senator Crowley:

WHEREAS, The practice among Christians of setting apart the hours from twelve to three o'clock on Good Friday for devotion having obtained so largely in California, that it would seem but right not only to favor such hallowed practice, but also to give opportunity to all who desire to recall during these hours the mystery which Christians celebrate;

WHEREAS, The merchants and businessmen, in recognition of the ever increasing observance by all peoples of the three hours devotion on Good Friday, have signified their intention of closing their doors to business during these hours; now, therefore, be it

*Resolved*, That it is the sense of the Senate of the State of California that recess be taken from twelve to three o'clock p.m. on Friday, April 15th, to enable all who wish to participate in the exercises which mark these hours so notable in the world's history.

Resolution read, and on motion of Senator Crowley adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 26—An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

PEDROTTI, Chairman.  
CROWLEY.  
KLINE.  
LYON.  
MALONEY.  
MUELLER.  
TUBBS.  
ALLEN, N. M.

Assembly Bill No. 26 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 410—An act to amend section 34 of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, as amended, relating to the abolishing of "Sacramento-San Joaquin Drainage District fund, Sutter-Butte By-pass Assessment No. 6 Emergency fund" and providing that the moneys in said fund shall be used, expended and disbursed in accordance with, pursuant to and for the purposes set forth in chapter DLVI of the statutes of the State of California for the legislative session of the year 1919, directing the State Controller to draw his warrant and make all necessary transfers and entries concerning the moneys in said fund, directing the State Treasurer to pay the warrant and repealing all acts and parts of acts in conflict therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

RUSH, Chairman.  
BOGGS.  
COBB.  
MALONEY.  
GRAY.  
INMAN.  
JONES, RAY.  
GARRISON.

Assembly Bill No. 410 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1247—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties



for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the apportionments of cost of grade separations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

WAGY, Chairman.

Assembly Bill No. 1247 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 554—An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains; and repealing the act entitled "An act to promote the safety of employees and traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

WAGY, Chairman,

Senate Bill No. 554 ordered on file for second reading.

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 151—An act to add a new section to the Political Code, to be numbered 2524½, relating to the power of the Board of State Harbor Commissioners;

Also: Senate Bill No. 193—An act to amend the Political Code, by adding thereto a new section, to be numbered 1894, relating to the sale of school supplies by one district to another;

Also: Senate Bill No. 447—An act to add a new section to the Political Code, to be numbered 1608½, providing courses in forestry, the acquiring by school districts of necessary lands therefor outside such districts, the afforestation and reforestation thereof, and of public lands, and for transportation of pupils;

Also: Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended;

Also: Senate Joint Resolution No. 12—Relative to the appointment of a State commission to act for the State, in conjunction with the United States commission created by joint resolution approved December 2, 1924, in the George Washington Celebration to be held in the year 1932;

Also: Senate Bill No. 240—An act to amend section 1559 of the Code of Civil Procedure, relating to the sale and conveyance of the property of decedents;

Also: Senate Bill No. 246—An act to amend section 2322½47 of the Political Code, relating to the salary of the horticultural commissioner in counties of the forty-seventh class;

Also: Senate Bill No. 247—An act relating to the passage of ordinances by cities or counties, and authorizing cities or counties to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects; *provided*, not less than three printed copies of such code or codes, in book form, have been filed with the clerk;

Also: Senate Bill No. 341—An act to amend section 2 of an act entitled "An act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire or other disaster the property of the State of California located on the water front of San Francisco, California," approved April 30, 1919;

Also: Senate Bill No. 543—An act to amend section 791 of the Political Code, relating to the number of notaries public in counties of the second class;

Also: Senate Bill No. 665—An act to amend section 2322½42 of the Political Code, relating to salaries of horticultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 671—An act to amend section 2322.40 of the Political Code, relating to the salaries of county horticultural commissioners, deputies, and inspectors in counties of the fortieth class;  
And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of April, 1927, at 4 o'clock and 40 minutes p.m.

ALLEN, J. M., Vice Chairman.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 306—An act to be known as the "Pure Milk Law of California," to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, counties and groups of cities and counties to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the payment of a fee to defray the expenses of such approved milk inspection service; to provide for examination, testing, branding and exclusion of tuberculin cattle; to prescribe penalties for violation of the provisions hereof; to repeal an act known as the "Pure Milk Law," approved June 15, 1923, as amended, and all acts or parts of acts inconsistent with the provisions of this act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Assembly Bill No. 306 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 28, of the amended printed bill, strike out the word "dissiminate", and insert in lieu thereof the word "disseminate".

AMENDMENT NUMBER TWO.

On page 6, lines 18 and 19, of the amended printed bill, strike out the word "unlawful", and insert in lieu thereof the word "lawful".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 306, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 290—An act to amend section 20 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter 589 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' approved June 3, 1921, and all amendments thereto, and adding a new section to be numbered section 6½.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED NINETY.

## AMENDMENT NUMBER ONE.

Amend the title of the printed bill, by striking out in line 1 thereof "section twenty" and inserting in lieu thereof the following: "sections twenty and subdivision three (3) of section eight".

## AMENDMENT NUMBER TWO.

Amend the title of the printed bill, by striking out the last two lines thereof and insert in lieu of the same the following: "and adding two sections to be numbered section six and one-half and section two and three-quarters".

## AMENDMENT NUMBER THREE.

On page 3 of the printed bill, after line 4 thereof, insert the following:

SEC. 3. A new section is hereby added to said inheritance tax act to be numbered 27 and to read as follows:

SEC. 27. (1) Where the tax imposed by this act is of a lesser amount than the maximum credit of eighty per cent of the federal estate tax allowed by the federal estate tax act because of said tax herein imposed, then the tax provided for by this act shall be increased so that the amount of tax due this state shall be the maximum amount of the credit allowed under said federal estate tax act. Said additional tax shall be paid out of the same funds as any other ordinary charge against the estate.

(2) Where no tax is imposed by this act because of the exemptions herein and a tax is due the United States under the federal estate tax act then a tax shall be due this state equal to the maximum amount of the credit allowed under said federal estate tax act.

(3) Should the amount of tax in this act increased by this section be afterwards found to be more than the maximum credit allowed under the federal estate tax act, then any excess over and above the said maximum credit shall be refunded as is provided in section 11 of this act.

(4) If this section, or any subsection, phrase or clause thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion or portions of this act in force at the time of the enactment of this section, nor shall such decision affect the validity of the remaining portion or portions of this section.

SEC. 4. Section 8, subdivision three (3), is hereby amended to read as follows:

(3) When property is transferred in trust or otherwise, and the rights, interest or estates of the transferees are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated, extended, or abridged, a tax shall be imposed upon said transfer at the highest rate which, on the happening of any of the said contingencies or conditions, would be possible under the provisions of this act, and such tax so imposed shall be due and payable forthwith by the executors or trustees out of the property transferred; *provided, however*, that on the happening of any contingency whereby the said property, or any part thereof, is transferred to a person or corporation exempt from taxation under the provisions of this act, or to any person taxable at a rate less than the rate imposed and paid, such person or corporation shall be entitled to a return of so much of the tax imposed and paid as the difference between the amount paid and the amount which said person or corporation should pay under the provisions of this act: such return of overpayment shall be made in the manner provided by section 11 of this act, upon order of the court having jurisdiction; *provided*, that the person or persons or body politic or corporate beneficially interested in the property chargeable with said tax or the trustees thereof may elect not to pay the same until such person or persons, or body politic or corporate beneficially interested in such property shall come into the actual possession or enjoyment thereof, and in that case such person or persons or body politic or corporate or trustees shall execute a bond to the people of the State of California in a penalty of the amount of said tax plus interest thereon for five years at the rate of seven per cent per annum with such sureties as the said superior court may approve, conditioned for the payment of said tax and interest thereon at the rate of seven per cent per annum commencing at the expiration of eighteen months from the death of the decedent at such time or period as they or their representatives may come into the actual possession or enjoyment of such property, and conditioned further, that if said bond be not renewed and the returns made as herein provided, the amount of said tax and interest thereon shall immediately become due and payable. Said bond shall be filed in the office of the county clerk of the proper county and a certified copy thereof shall be immediately transmitted to the state controller; *provided, further*, that such person or persons or body politic or corporate, or trustees, shall enter into such security within a period of ninety days after the entry of the order or decree fixing the inheritance tax charged against such transfer, or within such period thereafter as the court may in its discretion permit, and shall make a full and verified return of such property to said court and file the same in the office of the county clerk within one year from the date of such order or decree fixing tax, and at such times thereafter as the court on the application of the state controller may require, and renew such security every five years after the date of the approval thereof. Upon the approval of said bond as herein provided, said tax shall cease to be a lien upon



the property so transferred. If such security shall not be renewed before the expiration of each five year period, said bond shall immediately become due and payable and if the same be not paid forthwith, the attorney general shall file an action in the name of the people of the state on the relation of the controller, to recover the same and the penalties thereunder and no demand for payment shall be necessary before the institution of such suit. Whenever it shall be made to appear to the satisfaction of the court that any surety on such bond or undertaking has for any reason become insufficient, the court may on motion of the state controller, after such notice to such person or persons, body politic or corporate, or trustees as the court may require, order the giving of a new undertaking with sufficient sureties in lieu of such insufficient undertaking. In case such new undertaking so required shall not be given within the time required by such order, or in case the sureties thereon fail to justify thereon when required, all rights obtained by the filing of such original undertaking, or subsequent undertaking, shall cease and the amount of said tax and interest thereon shall immediately become due and payable.

## AMENDMENT NUMBER FOUR.

In line 2 of title of the printed bill, as amended March 17, 1927, strike out: "Subdivision three (3) of section".

## AMENDMENT NUMBER FIVE.

In line 6 of title of the printed bill, as amended March 17, 1927, after word "for" insert the word "the".

## AMENDMENT NUMBER SIX.

In line 13 of the title of the printed bill, as amended March 17, 1927, after words "inheritance tax act", strike out double quotation marks and before word "approved" insert the following: "and to repeal all acts and parts of acts in conflict with this act".

## AMENDMENT NUMBER SEVEN.

In lines 13 and 14 of the title of the printed bill, as amended March 17, 1927, strike out "and all amendments thereto", and insert in lieu thereof the following, "as amended".

## AMENDMENT NUMBER EIGHT.

On page 1, line 10, of the printed bill, as amended March 17, 1927, after the words "inheritance tax act" strike out double quotation marks and insert the following: "and to repeal all acts and parts of acts in conflict with this act",.

## AMENDMENT NUMBER NINE.

On page 1, line 11, of the printed bill, as amended March 17, 1927, strike out "and all amendments thereto", and insert in lieu thereof the following: "as amended".

## AMENDMENT NUMBER TEN.

On page 3, line 32, of the printed bill, as amended March 17, 1927, after words "Section 8" strike out comma after "S" and the words "subdivision three (3)," and insert in lieu thereof the following, "of said act".

## AMENDMENT NUMBER ELEVEN.

On page 3, line 33, of the printed bill, as amended March 17, 1927, after word "follows:" insert the following:

(1) When any grant, gift, legacy, devise or succession upon which a tax is imposed by section 2 of this act shall be an estate, income, or interest for a term of years, or for life, or determinable upon any future or contingent event, or shall be a remainder, reversion, or other expectancy, real or personal, the entire property or fund by which such estate, income, or interest is supported, or of which it is a part, shall be appraised immediately after the death of the decedent, and the market value thereof determined, in the manner provided in section 16 or 17 of this act, and the tax prescribed by this act shall be immediately due and payable to the treasurer of the proper county, and, together with the interest thereon, shall be and remain a lien of said property until the same is paid.

(2) In estimating the value of any estate or interest in property, to the beneficial enjoyment or possession whereof there are persons or corporations presently entitled thereto, no allowance shall be made on account of any contingent incumbrance thereon, nor on account of any contingency upon the happening of which the estate or property or some part thereof or interest therein might be abridged, defeated or diminished; *provided, however*, that in the event of such incumbrance taking effect as an actual burden upon the interest of the beneficiary, or in the event of the abridgment, defeat or diminution of said estate or property or interest therein as aforesaid, a return shall be made to the person properly entitled thereto of a proportionate amount of such tax on account of the incumbrance when taking effect, or so much as will reduce the same to the amount which would have been assessed on account of the actual duration or extent of the estate or interest enjoyed. Such return of tax shall be made in the manner provided by section 11 hereof upon order of the court having jurisdiction.



## AMENDMENT NUMBER TWELVE.

On page 5, line 3, of the printed bill, as amended March 17, 1927, after line 3, and beginning as line 4, insert the following:

(4) Estates in expectancy which are contingent or defeasible and in which proceedings for the determination of the tax have not been taken or where the taxation thereof has been held in abeyance, shall be appraised at their full, undiminished value when the persons entitled thereto shall come into the beneficial enjoyment or possession thereof, without diminution for or on account of any valuation theretofore made of the particular estates for purposes of taxation, upon which said estates in expectancy may have been limited.

(5) Where an estate or interest can be divested by the act or omission of the legatee or devisee it shall be taxed as if there were no possibility of such divesting.

(6) The value of every future, or contingent or limited estate, income or interest, shall, for the purposes of this act be determined by the rule, methods and standards of mortality and of value that are set forth in the actuaries' combined experience tables of mortality for ascertaining the value of policies of life insurance and annuities and for the determination of the liabilities of life insurance companies, save that the rate of interest to be assessed in computing the present value of all future interest and contingencies shall be five (5) per cent per annum. The insurance commissioner shall without a fee on the application of any superior court or of any inheritance tax appraiser determine the value of any future or contingent estate, income or interest therein limited, contingent, dependent or determinable upon the life or lives of persons in being, upon the facts contained in any such appraiser's application or other facts to him submitted by said appraiser or said court and certify the same in duplicate to such court or appraiser, and his certificate thereof shall be conclusive evidence that the method of computation therein is correct. When an annuity or a life estate is terminated by the death of the annuitant or life tenant, and the tax upon such interest has not been fixed and determined, the value of said interest for the purpose of taxation under this act shall be the amount of the annuity or income actually paid or payable to the annuitant or life tenant during the period for which such annuitant or life tenant was entitled to the annuity or was in possession of the life estate.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 290?

The roll was called, and Assembly amendments to Senate Bill No. 290 concurred in by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, and West—27.

NOES—None.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 687—An act to amend sections 4, 6, 7 and 8 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to the powers and duties of the Veterans' Welfare Board—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

MUELLER, Chairman.  
 MCKINLEY.  
 TUBBS.  
 WELLER.  
 GARRISON.

Assembly Bill No. 687 ordered on file for second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Chamberlin.

The Secretary was directed to call the roll on Senator Chamberlin's motion to set reconsideration of adoption of amendment to Senate Bill

No. 136 as a special order for Wednesday, April 13th, at eleven o'clock and thirty minutes a.m.

The roll was called, and the motion lost by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Chamberlin, Christian, Cobb, Evans, Inman, Johnson, Jones, H. C., McKinley, Wagy, Weller, and West—14.

NOES—Senators Allen, J. M., Breed, Canepa, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, and Tubbs—23.

#### MOTION TO RECONSIDER.

Senator Chamberlin moved to reconsider the vote by which substitute amendment No. 2 to Senate Bill No. 136, offered by Senator Swing, was adopted.

Motion lost.

#### ADJOURNMENT.

At five o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, April 13, 1927.

### IN SENATE.

#### SENATE CHAMBER.

SACRAMENTO, Wednesday, April 13, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Arthur H. Breed, President pro tempore of the Senate, in the chair.  
Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—39.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 12, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVE OF ABSENCE.

Senator Taylor was, on motion of Senator Weller, granted leave of absence for this day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. P. J. McCormick of San Francisco, California; his son, Peter J. McCormick, a student of St. Mary's College, Oakland, California, and Mr. E. J. Moloney of San Francisco, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Georgia M. Foster of San Francisco, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. E. V. Dales and wife of Riverside, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Bruce Painter of Petaluma, California, and Mr. Gardner Spring of Santa Rosa, California.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Ray Bailey of Bakersfield, California, district attorney of Kern County.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. L. E. Carlson, of La Jolla, California, and Mr. John Bacon, mayor of San Diego, California.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Bradford of San Jose, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Howard O. Welty, principal of Oakland Technical High School, Oakland, California.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. William L. Tower of Carmel, California.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Frank Nutter of Redlands, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Tomasini and Ruth Tomasini of Suisun, California, and Helen Howland and Mrs. H. K. Howland of Princeton, California.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. C. L. Geer of Coalinga, California, district superintendent of schools.

On request of Senator Handy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Prof. H. H. Glessner, principal Edison High School, Berkeley, California; Prof. Charles M. Fulkerson of Ukiah, Prof. Edward Blackman of Willits, Miss Marie Allen, Miss Barbara Allen, Miss Elizabeth Madison and Mrs. J. K. Allen of Modesto, California.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. B. R. Crandall, president of the California State Polytechnic School, and Mr. P. E. Baker of Princeton, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Theodore Rueger and Miss Helen Louise Rueger of Benicia, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Dr. E. P. Clarke of

Riverside, California; Mr. John S. Malcom of San Juan Capistrano, California, and Mr. D. K. Hammond of Santa Ana, California.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. J. F. Graham of Lemoore, California, and Mr. J. B. Cookman of Maricopa, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Mary Beth Sedinger of Oakland, Miss Anita McGinnis, Miss Mamie Genis and Mrs. Martha McGinnis of Sacramento, California; Mr. Ben S. Millikan, superintendent of schools of Covina, California; Mr. H. H. McCutchan, principal of the Junior High School, Long Beach, California, and Mr. M. B. Dunkle, principal of the high school at Avalon, Catalina Island, California.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 559—An act to amend section 4269 of the Political Code, relating to salaries, fees and expenses of county officers of counties of the fortieth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Concurrent Resolution No. 19 Relative to the creation of a joint committee of the Senate and Assembly for the purpose of making a thorough study into the traffic situation on the highways of California, with particular reference as to the advisability of the adoption of a law requiring financial responsibility on the part of those owning or operating motor vehicles using the highways, and making an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 95—An act to amend section 1197 of the Political Code, relating to election ballots, the manner of voting and conduct of elections;

Also: Senate Bill No. 166—An act to amend section 653p of the Civil Code, relating to nonprofit cooperative agricultural, viticultural and horticultural associations;

Also: Senate Bill No. 568—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 95, 166 and 568 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the con-



stitution of said State relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations be amended.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Constitutional Amendment No. 22 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 311—An act to amend section 50 of the "Acquisition and Improvement Act of 1925," relating to the definition of terms;

Also: Assembly Bill No. 650—An act to amend section 632 of the Penal Code, relating to protection of fish.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 311 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 650 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 764—An act to amend section 4258 of the Political Code, relating to the salaries of county officers in counties of the twenty-ninth class;

Also: Assembly Bill No. 1068—An act to amend section 630 of the Code of Civil Procedure, relating to the exemption of life insurance benefits from execution or attachment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 764 read first time, and referred to Committee on County Government.

Assembly Bill No. 1068 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture.

##### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINETY-EIGHT.

###### AMENDMENT NUMBER ONE.

In line 7 of the printed bill, after the words "by the director", insert the following: "and shall hold office at the pleasure of the director. The director shall have the power to fix the salaries of such division chiefs, subject to the approval of the governor".

###### AMENDMENT NUMBER TWO.

In line 8 of the printed bill, strike out the word "chiefs".

###### AMENDMENT NUMBER THREE.

In line 10 of the printed bill, after the word "duties", insert a comma.

## AMENDMENT NUMBER FOUR.

In line 12 of the printed bill, strike out the word "chiefs."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 98?

The roll was called, and Assembly amendments to Senate Bill No. 98 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellon, Gray, Hollister, Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Rush, Slater, Swing, Wagy, Weller, and Young—23.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 24—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 24—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWENTY-FOUR.

## AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, before the word "unless" insert the words "and designate the polling places".

## AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the word "precinct" following the comma insert the following: "have not been appointed or can not serve,".

## AMENDMENT NUMBER THREE.

On page 3, line 35, of the printed bill, before the word "county" insert the following: "state,".

## AMENDMENT NUMBER FOUR.

On page 3, line 46, of the printed bill, after the word "daily" insert the following: "or in case there is no daily then in a weekly".

## AMENDMENT NUMBER FIVE.

On page 4, line 22, of the printed bill, after the word "the", and before the word "county", insert the following: "state,".

## AMENDMENT NUMBER SIX.

On page 5, line 5, of the printed bill, strike out the word "poll" and substitute in lieu thereof the word "tally".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 24?

The roll was called, and Assembly amendments to Senate Bill No. 24 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Wagy, Weller, West, and Young—28.

NOES—None.

## CONSIDERATION OF DAILY FILE.

## UNFINISHED BUSINESS FILE.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article III, embracing sections 372 to 372g, relative to a Department of Public Health.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED NINETY-THREE.

## AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill as amended in the Senate March 3, 1927, strike out all of the words following the word, "state", and all of lines 6, 7, and 8, and the following words in line 9: "of an unrevoked certificate issued by said board".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 793?

The roll was called, and Assembly amendment to Senate Bill No. 793 concurred in by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Wagy, Weller, West, and Young—33.

NOES—None.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, main-

tenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28 and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit:

Section 8*a*, relating to the offices of assessor, collector and treasurer; section 8*b*, relating to consolidation and segregation of the offices of assessor and collector; section 8*c*, relating to deputies to assessor and collector; section 15*b*, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27*a*, relating to time for completion of assessment roll and time for equalizing assessments; section 27*b*, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28*a*, relating to levy of taxes by boards of supervisors; section 28*b*, relating to duty of district attorney and Attorney General on default in levy and collection of taxes; section 28*c*, relating to extension of time for duties in assessment, levy and collection of taxes; section 28*d*, relating to collection of unsecured taxes; section 28*e*, relating to addition of unpaid water tolls and charges to taxes; section 28*f*, relating to assessment lien; section 28*g*, relating to change of assessments and refund of erroneous taxes; section 28*h*, relating to notice that assessments are due and collection and delinquency of taxes; section 28*i*, relating to suit against delinquents to collect taxes; section 28*j*, relating to duty of collector on sale for delinquent taxes; section 28*k*, relating to sale for delinquent taxes; section 28*l*, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28*m*, relating to certificates of sale; section 28*n*, relating to record book of property sold for taxes and interest on redemption; section 28*o*, relating to redemption of property and collector's deed; section 28*p*, relating to delinquent taxes and deed on dissolution of district; section 28*q*, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28*r*, relating to assessment roll or delinquent list as prima facie evidence; section 28*s*, relating to misnomers; section 28*t*, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28*u*, relating to settlements between secretary and collector; section 29*a*, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TEN.

AMENDMENT NUMBER ONE.

On page 12, line 4, of the printed bill, strike out the word "the".

AMENDMENT NUMBER TWO.

On page 12, line 5, of the printed bill, strike out the word "sum" and insert in lieu thereof the following: "such sum, not exceeding one hundred thousand dollars, as may be".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 110?



The roll was called, and Assembly amendments to Senate Bill No. 110 concurred in by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, West, and Young—32.

NOES—None.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 601—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED ONE.

##### AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, strike out the following: "said act to be numbered section 4 and to read as follows:" and insert in lieu thereof the following: "an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, to be numbered section 4 and to read as follows:"

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 601?

The roll was called, and Assembly amendment to Senate Bill No. 601 concurred in by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, and West—32.

NOES—None.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 360—An act to amend the "California Water Storage District Act," approved June 3, 1921, as amended by amending the title to said act, and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 34, 38, 41, 44, 45, 47, 49, 60 and 64 thereof, by adding a new section to be numbered 19a, and relating to the reapportionment of assessments in case of the subdivision of lands by adding nineteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q and 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators to act as owners of title or evidence of title.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SIXTY.

AMENDMENT NUMBER ONE.

In the title of the printed bill, line 14, as amended March 9, 1927, after the word "period" insert "by adding a new section to be known as 20a, relating to additional help for county treasurer of any county in which any lands contained in the district are located."

AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended March 9, 1927, strike out lines 1 to 26, both inclusive.

AMENDMENT NUMBER THREE.

On page 43, line 47, of the printed bill, as amended March 9, 1927, after the word "do" begin a new paragraph to read as follows:

SEC. 48. A new section to be numbered 20a is hereby added to said act to read as follows:

20a. The county treasurer of any county in which any of the lands contained in the district are located during the time for the collection of the taxes or assessments of the district may require the board of directors of such district to provide and pay for such additional help as may be required to care for the matters relating to the collection of the said taxes of the district.

AMENDMENT NUMBER FOUR.

On page 29 of the printed bill, line 15, after the comma after the word "engineer" insert the following: "who shall give his approval if he finds the price not excessive, and otherwise refuse it;"

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 360?

The roll was called, and Assembly amendments to Senate Bill No. 360 concurred in by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Waggy, Weller, West, and Young—33.

NOES—None.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Conference on Assembly Bill No. 303 the following Assemblymen: Anderson, D. P., Oliva and Brock, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to roster and tally lists, to add a new section 1174a to the Political Code, relating to roster and tally lists, and to repeal section 1229 of the Political Code—reports that it has met a like committee of the Assembly, consisting of Assemblymen Anderson, D. P., Oliva and Brock, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

FELLOM, Chairman.  
GARRISON.  
MALONEY.

Senate Committee on Conference

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to roster and tally lists, to add a new

section 1174a to the Political Code, relating to roster and tally lists, and to repeal section 1229 of the Political Code—recommending the appointment of a Committee on Free Conference and the following Assemblymen were appointed: Williamson, Wherrell and Nielsen, to meet with a like committee from your honorable body.

ARTHUR A. OILNIMUS, Chief Clerk,  
By C. W. BOOTH, Assistant Clerk.

#### COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Crowley, Mueller and Sharkey as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 303.

The Secretary was directed to notify the Assembly of the Senate's appointment of a Committee on Free Conference.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 645—An act to amend sections 1, 2, 3, 4, 8 and 9 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to the method of recordation of maps, providing additional conditions on which maps may be recorded, and providing civil and criminal liabilities for the violation thereof—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 25—Relative to an investigation and report upon educational facilities for the instruction of the deaf;

Also: Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools;  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

##### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 149—An act to amend section 190 of the Penal Code, relating to murder in the second degree—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

BAKER, Chairman.

Senate Bill No. 149 ordered on file for second reading.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 443—An act to amend sections 1, 3, 5, 6, 6a, 7, 8, 9, 11, 12 and 13 of and to add three new sections to be numbered 6b, 6m, and 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 11, line 11, of the amended printed bill, following the word "surgery" insert a comma and the following: "doctor of dental science".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 11, line 52, of the printed bill, beginning with the comma following the word "dentistry", strike out all down to and including the semicolon following the word "radiographer", in line 2, page 12, and insert in lieu thereof the following: "or in order to procure registration as a dentist,".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 12 of the amended printed bill, strike out lines 29 to 52, inclusive, and on page 13 of the amended bill, strike out lines 1 to 19, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 761—An act to amend section 640 of the Penal Code, relating to fraudulent connection with telegraph and telephone wires.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the word "privilege", and insert in lieu thereof the word "privileged".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the following: "Privileged publication, is what?"

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, after the word "publication", insert the following: "as to the person making said allegation or averment".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 554—An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains; and repealing the act entitled "An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "railroad", insert the following: ", except railroads independently operated not exceeding two hundred and fifty miles in length or railroads with more than four trains each way every twenty-four hours."

Amendment adopted.



## AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "Any", at the beginning of the paragraph, insert the word "such".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to roster and tally lists, to add a new section 1174a to the Political Code, relating to roster and tally lists, and to repeal section 1229 of the Political Code—reports that it has met a like committee of the Assembly, consisting of Assemblymen Williamson, Wherrell and Nielsen, and that the Committee on Free Conference has agreed to recommend the following: Amend the title of the act by striking out the word "repeal" appearing in line 5 of the said title, and substituting in lieu thereof the word "amend".

CROWLEY, Chairman.  
SHARKEY.  
MUELLER.

Committee on Free Conference of the Senate.

The question being on the adoption of the report of Committee on Free Conference and the amendment.

The roll was called, and the report of Committee on Free Conference and the amendment adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 709—An act to amend sections 3457, 3465, 3466 and 3480 of the Political Code and section 3480½ thereof, as enacted by chapter 287 of the Statutes of 1923 of the State of California, relating to reclamation districts, and to add a new section, 3468, providing for an annual levy or call of assessment to pay warrants of said districts, and to add a new section, 3493a, providing for payment of expenses of county treasurers in proceedings to collect assessments to pay principal or interest of bonds of said districts, and to add a new section, 3493b, providing for issuance of duplicate bonds and warrants for lost, destroyed, mutilated, and defaced bonds and warrants of said districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—7.

GARRISON, Chairman.

Assembly Bill No. 709 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 577—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, Statutes 1897, page 254, as amended, by amending the title of said act and adding thereto six new sections, to be numbered 108a, 108b, 108c, 108d, 108e, 108f, to provide for the construction, reconstruction, betterment or

improvement of an irrigation system, or systems or the purchase or acquisition of an irrigation system or systems already constructed, and providing for the payment of the costs and expenses of such acquisitions and such work and improvements and the issuance of bonds therefor and the payment of such bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; noes—1.

GARRISON, Chairman.

Senate Bill No. 577 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1027—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use waters; providing for the approval of the State Superintendent of Banks of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds and such transfers or contracts providing therefor by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended by amending sections 1, 1a, 2 and 8 thereof and by adding new sections thereto, to be numbered 2b, 2c and 2d, relating to the formation of such districts, the selection of officers thereof and to district taxes or assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—7.

GARRISON, Chairman.

Assembly Bill No. 1027 ordered on file for second reading.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Presiding Senator announced the appointment of Senators Cobb, Garrison and Boggs as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 486.

#### MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator West moved to reconsider the vote whereby Assembly Bill No. 1265 was passed.

Assembly Bill No. 1265—An act to amend sections 3627, 3627a, 3628, 3650 of the Political Code, and to add thereto a new section to be numbered 3627b, all relating to revenue and taxation.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 1265 was passed lost by the following vote:

AYES—None.

NOES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following constitutional amendment was introduced:

By Senator Gray: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 25½ of article IV thereof, relating to the division of the State into fish and game districts.

Referred to Committee on Constitutional Amendments.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

## SENATOR WELLER IN THE CHAIR.

At eleven o'clock and thirty minutes a.m. Senator Weller of the Thirty-sixth District was called to the chair.

## LEAVE OF ABSENCE.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for the remainder of this day.

## SENATOR ALLEN, J. M., IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Senator Allen, J. M., of the Second District was called to the chair.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 19 of article VI thereof, relating to powers of judges in charging juries.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 8 refused adoption by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Gray, Handy, Johnson, Nelson, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—18.

NOES—Senators Allen, J. M., Allen, N. M., Chamberlin, Christian, Fellom, Garrison, Hollister, Ingram, Inman, Jones, H. C., Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Swing, and West—18.

#### NOTICE OF MOTION TO RECONSIDER.

Senator McKinley gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 8 was refused adoption.

#### RECESS.

At one o'clock and twenty-five minutes p.m., on motion of Senator Breed, the presiding Senator declared the Senate at recess until the hour of two o'clock and thirty minutes p.m.

#### RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.  
Assistant Secretary Albert Brady at the desk.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 244—An act to amend section 626 of the Penal Code, relating to the protection of game:

Also: Assembly Bill No. 1065—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—11; noes—1; absent—3.

CHAMBERLIN, Chairman.

Assembly Bills Nos. 244 and 1065 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 221—An act to add a new section to be numbered 2a to an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended, relating to the protection of bears:

Also: Assembly Bill No. 867—An act to amend section 628b of the Penal Code, relating to protection of black bass;

Also: Senate Bill No. 455—An act to amend section 626m of the Penal Code, relating to fishing and hunting at night:



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12; absent—3.

CHAMBERLIN, Chairman.

Assembly Bills Nos. 221 and 867 ordered on file for second reading.  
Senate Bill No. 455 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1201—An act to amend section 626a of the Penal Code, relating to the shooting of water fowl from scull-boats in Fish and Game District No. 2;

Also: Senate Bill No. 725—An act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and employees, and prescribing their duties and powers, and providing a license fee to be charged commercial gun clubs;

Also: Assembly Bill No. 27—An act to amend section 634 of the Penal Code, relative to the protection of fish and game;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—12; absent—3.

CHAMBERLIN, Chairman.

Assembly Bills Nos. 1201 and 27 ordered on file for second reading.  
Senate Bill No. 725 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 884—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653ab to 653ag, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bill No. 884 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 619—An act to prohibit the manufacture, sale, offering for sale, exposing for sale, possession and use of machine rifles, automatic rifles, machine guns and sub-machine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bill No. 619 ordered on file for second reading.

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 48—An act reserving certain lands situated in Mission Bay, in the county of San Diego, to be used as a State park, providing for the management of the same by a commission; prescribing the duties and powers of such commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

GRAY, Acting Chairman.

Senate Bill No. 48 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 578—An act granting to the La Jolla Beach and Yacht Club, a corporation, a perpetual easement for a channel across certain tidelands in the city of San Diego—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

GRAY, Acting Chairman.

Senate Bill No. 578 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1193—An act to amend sections 4, 7 and 10 of an act entitled "An act providing for the improvement, development, or protection of any harbor, bay, inlet or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof," approved June 11, 1915, as amended, relating to surveys, appointment of employees and other appointees, management of work and payment of compensation of commission and claims against the same—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

GRAY, Acting Chairman.

Assembly Bill No. 1193 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 229—An act to declare certain reclaimed land in the city of Vallejo to be free from certain trusts and restrictions imposed on such land when granted to such city—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

GRAY, Acting Chairman.

Assembly Bill No. 229 ordered on file for second reading.

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 459—An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State;

Also: Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District," to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding twenty-five thousand dollars, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of twenty-five thousand dollars for said purpose, and declaring this act to be an emergency measure;

Also: Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the district courts of appeal;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Senate Bills Nos. 459, 883 and 571 ordered on file for second reading.

SENATOR FELLOM IN THE CHAIR.

At two o'clock and forty minutes p.m., Senator Fellom of the Twenty-first District was called to the chair.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3a and 3b, respectively, relating to licenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman

Senate Bill No. 107 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judge;

Also: Senate Bill No. 803—An act to amend chapter IV of title I of part III of the Political Code by amending section 726 thereof and adding thereto a new section to be known as 727, to relate to the Judicial Council and the duty of county clerks and clerks of the various courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman

Senate Bills Nos. 58 and 803 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 197—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purposes of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election;

Also: Senate Bill No. 865—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman

Assembly Bill No. 197 ordered on file for second reading.

Senate Bill No. 865 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the secretary of state and making an appropriation to pay the salaries of said appointees, not otherwise provided for during the seventy-ninth and eightieth fiscal years;

Also: Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years;

Also: Senate Bill No. 805—An act to amend sections 749, 755, 756 and 767 of the Political Code, and to provide for the appointment, employment and compensation of phonographic reporters, assistants, secretaries and librarian and other employees of the Supreme Court of the State of California, and for the salaries and expenses incurred by the said court under the provisions of this act, and making an appropriation therefor, and repealing section 739, 751, 769, 770, 2313, 2314, 2315 and 2316 of the Political Code, and sections 265, 266 and 268 of the Code of Civil Procedure;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Senate Bills Nos. 318, 764 and 805 ordered on file for second reading.

#### ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 162—An act to amend section 2, of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, as amended, relating to bridge and highway districts;

Also: Assembly Bill No. 1023—An act to amend sections 2754, 2755, and 2768 of the Political Code, relating to permanent road divisions;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

SHARKEY, Chairman.

JONES, RAY.

FELLOM.

HANDY.

McKINLEY.

WAGY.

BAKER.

ALLEN, J. M.

BOGGS.

SWING.

INGRAM.

Assembly Bills Nos. 162 and 1023 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way and easements of the public, including any right of way of which immediate possession and use has been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment



and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

SHARKEY, Chairman.  
ALLEN, J. M.  
BAKER.  
BOGGS.  
FELLOM.  
HANDY.  
INGRAM.  
JONES, RAY.  
McKINLEY.  
SWING.  
WAGY.

Senate Bill No. 510 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 218—An act appropriating money to be expended by the reclamation board for general administrative purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

RUSH, Chairman.  
BOGGS.  
COBB.  
GARRISON.  
GRAY.  
INGRAM.  
INMAN.  
JONES, RAY.  
MALONEY.

Senate Bill No. 218 ordered re-referred to Committee on Finance.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 681—An act to amend section 2302 of the Political Code, relating to the salary of State Librarian;

Also: Senate Bill No. 512—An act to create a board to be known as the "State Fire Prevention Survey," providing for the appointment of said board by the Governor, prescribing the powers and duties of the members of said board, fixing their compensation, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation, and that it be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—7; absent—6.

SWING, Chairman.

Senate Bills Nos. 681 and 512 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 608—An act to amend section 682 of the Political Code, relative to the powers of the Board of Control—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—7; absent—6.

SWING, Chairman.

Assembly Bill No. 608 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 809—An act to amend section 737*a* of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara;

Also: Assembly Bill No. 623—An act to provide for the organization and government of public park districts;

Also: Assembly Bill No. 1120—An act to amend sections 1517, 1518, 1519, 1519*a*, 1520, and 1521 of the Political Code, relating to State educational offices;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—7; absent—6.

SWING, Chairman.

Senate Bill No. 809 ordered on file for second reading.

Assembly Bills Nos. 623 and 1120 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 2—An act to amend section 738c of the Political Code, relating to the salaries of judges of the superior court of the county of Monterey;

Also: Senate Bill No. 46—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of additional judges and for their compensation;

Also: Senate Bill No. 103—An act to add a new section to the Political Code, to be numbered 737a, relating to the salary of the superior court judge of the county of Del Norte;

Also: Senate Bill No. 105—An act to add a new section to the Political Code to be numbered 737e, relating to the salaries of superior court judges;

Also: Senate Bill No. 741—An act to add a new section, to be numbered 13, to an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, providing a department to be devoted to the study, education, employment and general welfare of the deaf;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—7; absent—6.

SWING, Chairman.

Senate Bills Nos. 2, 46, 103, 105 and 741 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 251—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—7; absent—6.

SWING, Chairman.

Senate Bill No. 251 ordered re-referred to Committee on Finance.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 303—An act to amend section 1174 of the Political Code, relating to roster and tally lists, to add a new section 1174a to the Political Code, relating to roster and tally lists, and to repeal section 1229 of the Political Code.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a conference committee on Assembly Bill No. 486 the following Assemblymen: Sewell, Jones and Davis, to meet with a like committee from your honorable body.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Assembly Bill No. 486—An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura County

of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor; to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof; recommending the appointment of a Free Conference Committee and the following Assemblymen were appointed: Duval, Finley and Walters, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 486—An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura County of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor; to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof—reports that it has met a like committee of the Assembly, consisting of Assemblymen Sewell, Jones and Davis, and reports that the Committee on Conference is unable to agree, and recommends that a committee on Free Conference be appointed.

GARRISON,  
COBB,  
BOGGS,

Senate Committee on Conference.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 182—An act to amend section 4267 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the thirty-eighth class.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 1, 1927, strike out lines 1 to 4, both inclusive, of the title, and insert in lieu thereof the following:

An act to add a new section to be numbered four thousand two hundred sixty-seven to the Political Code, relating to the salaries, fees and expenses of the county surveyor in counties of the thirty-eighth class.

Amendment adopted

##### AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended April 1, 1927, after the figures "4267", add the letter "a".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, as amended April 1, 1927, after the figures and comma "1927," add the following: "payable in equal monthly installments".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, as amended April 1, 1927, before the word "for", add the following: "in the field".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1227—An act to amend section 21 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths; the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to applications or petitions to establish births.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 839—An act to amend section 2 of an act entitled "An act regulating the sanitary condition of bakeries, prescribing conditions connected with the manufacture and sale of bakery products, and fixing penalties for violation of the provisions thereof," approved June 2, 1921.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 851—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, as amended, relating to the filing of certificates for the practice of optometry.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 852—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matters of said regulations,' approved March 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 853—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1216—An act to amend section 6 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended, relating to the application and payment of fees for licenses, registration of licentiates and payment of fees for such registrations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to a Division of Cannery Inspection.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 829—An act to amend sections 5, 10, 26, 36, 45, 48, 56, 58, 59, and 60, of the "State Housing Act," approved June 15, 1923, as amended, relating to garages, air intakes, sinks, exits, ceiling heights, gas heaters and ventilation.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 16, line 29, of the printed bill, as amended, strike out all of line 29, and in lieu thereof insert the following: "vertical flue, vent or chimney leading to the outer air. Such vertical flue, vent or chimney shall be constructed of brick, terra cotta tile, terra cotta patent chimney masonry, or of other similar material which will not disintegrate from the effects of gas fumes and other products of combustion. The internal area of any such flue, vent or chimney shall not be less than twelve square inches and any such flue, vent or chimney of a rectangular shape shall not be less than two inches in any internal dimension."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 6, line 6, of the printed bill, after the word "except", add "railroad cars, sleeping cars,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 813—An act to amend section 16 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent here-

with in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to appointment to positions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 298—An act to promote the apicultural interests of California by providing for the inspection and disposition of bees, their brood, hives and appliances that are or may be infected with disease, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners, and defining their powers and duties hereunder; providing for the establishment of quarantines to prevent the introduction and spread of disease; declaring box hives and infected bees, their brood, hives and appliances to be a public nuisance, and providing for the abatement thereof; providing for the registration of apiaries; prohibiting the sale or removal of infected bees, their brood, hives and appliances without permit; providing penalties for the violation hereof, making an appropriation to carry out the provisions hereof, and repealing an act entitled "An act to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties, and providing for their compensation, and repealing the act entitled 'An act to authorize the boards of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883," approved February 20, 1901, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 637—An act to amend section 17 of an act known as the "General Dairy Law of California," approved June 15, 1923, relating to the weighing, sampling and testing of milk and cream.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 223—An act to amend section 1862 of the Civil Code, relating to the sale at auction of unclaimed baggage.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 224—An act to amend section 341a of the Code of Civil Procedure, relating to actions to recover personal property left in hotels.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 387—An act to amend sections 1 and 3 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, relating to cemetery districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 518—An act to amend section 164 of the Civil Code, relating to community property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 520—An act to amend section 1207 of the Civil Code of the State of California, providing for the effect of defectively acknowledged and recorded instruments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 522—An act to amend section 1267 of the Civil Code of the State of California, providing what the declaration of homestead of a person other than the head of a family must contain.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 523—An act to amend section 671 of the Code of Civil Procedure, relating to the docketing of judgments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 524—An act to amend section 674 of the Code of Civil Procedure, relating to the recording of copy of judgments, providing for the lien thereof and the extent of such lien.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 530—An act to amend section 1578 of the Code of Civil Procedure, relating to the manner of obtaining authority to mortgage or execute a deed of trust of the property of estate of decedents or of persons under guardianship.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 531—An act to amend section 1579 of the Code of Civil Procedure, relating to the manner of obtaining an order to lease the real property of the estate of a decedent or of a person under guardian.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 532—An act to amend section 1580 of the Code of Civil Procedure, relating to the sale of mining property of the estate of a decedent or of a person under guardianship.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 535—An act to amend section 1788 of the Code of Civil Procedure, relating to the giving of a bond of guardian before selling or encumbering the estate of a person under guardianship.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 564—An act to amend sections 18 and 19x of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16,

1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 690—An act to amend title *Xa* of the Code of Civil Procedure, relating to civil proceedings in municipal courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 691—An act to amend section 927*h* of the Code of Civil Procedure to provide for the performance by the marshal of the municipal court of the duties imposed upon the constable and providing for the fees to be charged therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 692—An act to amend section 927*p* of the Code of Civil Procedure, to provide for the payment of fees in the small claims court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 707—An act to create the office of a public defender, relating to creating an office to defend persons charged with crimes, without means to hire counsel.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 712—An act to amend section . . . of the Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 222—An act to amend section 1861*a* of the Civil Code, relating to the liens of keepers of apartment houses and furnished bungalow courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 615—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to the sessions of the superior court and to changes in place of holding the superior court, respectively.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 58—An act to add a new section to the Political Code, to be numbered 4049*b*, relative to publishing information by boards of supervisors.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

That in line 20 of the printed bill, following the word "government", the semicolon be stricken out and a period inserted in lieu thereof.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 521—An act to amend section 1263 of the Civil Code of the State of California, providing what the declaration of homestead of the head of a family must contain.



## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, after the comma following the word "homestead", insert the following: "and that no former declaration has been made, or, if made, that it has been abandoned".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 528—An act to add a new section to the Code of Civil Procedure, to be numbered 1308a, relating to orders admitting wills to probate and the certification and recordation of wills.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Strike out all of the bill after the word "probate", in line 3, and insert in lieu thereof "it must be recorded in the minutes by the clerk, with the notation: "Admitted to probate (giving date)".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 533—An act to amend section 1598 of the Code of Civil Procedure, relating to the giving of notice for hearing petitions to complete contracts for sale of real or personal property.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as amended March 25, 1927, strike out the comma and word "or", and insert in lieu thereof the word "and".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 895—An act to amend section 1401 of the Civil Code, relating to the disposition of community property on the death of either spouse.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

In line 8 of the printed bill, after the word "section", insert the word "alone".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 678—An act providing for the creation and management of the Tamalpais State Park and creating a board of five commissioners, with power to acquire land for the creation of said park, and for additions thereto and to manage and maintain said Tamalpais State Park and to appoint a guardian therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 645—An act to amend sections 26, 32 and 36f of the Water Commission Act, relating to water rights.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1178—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by amending sections 1, 2 and 5 thereof, and by adding three new sections thereto, to be numbered 8½, 8¾ and 13½, providing for testing the validity of bonds, the issuance of additional bonds, and making applicable the Improvement Act of 1911 for the construction of the work and acquiring property therefor.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

That the title of the printed bill be amended by striking out in line 8 thereof the word "three", and inserting in lieu thereof the word "four".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

That the title of the printed bill be amended by striking out in line 9 thereof the word "and", which appears as the second from last word in said line.

Amendment adopted.

##### AMENDMENT NUMBER THREE.

That the title of the printed bill be amended by inserting in line 10 thereof, following the word "one-half.", the words "and fourteen and one-half."

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

That on page 2 of the printed bill, the word "or", in line 7, and all of lines 8 and 9, be stricken out.

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

That on page 5 of the printed bill, in new paragraphs following line 9, there be added the following:

SEC. 7. A new section is hereby added to said act to be numbered section 14½, and to read as follows:

Sec. 14½. Any portion or portions of a county containing unincorporated territory, or containing the whole or any portion of one or more incorporated cities and contiguous unincorporated territory, and not included in a county irrigation district or a county waterworks district, may be added to any county waterworks district organized under the provisions of this act, at any time, in the manner herein prescribed.

The holder or holders of title, or evidence of title, to one-half or more of the lands sought to be added may file with the board of supervisors a petition in writing praying that said lands be added to the district. The county assessment roll of the county in which the lands sought to be added are situated, which assessment roll has been last equalized at the time the petition is filed, shall be conclusive evidence as to the holders of title, or evidence of title, to said lands.

The petition, which may consist of any number of separate instruments, shall set forth and describe the boundaries of the proposed addition, or additions, and pray that the lands within such boundaries be added to the district. A certificate of acknowledgment taken before a notary public or justice of the peace of any state, or an affidavit by any person in the presence of whom the petition was signed, shall be sufficient evidence of the genuineness of the signature, or signatures, and the fact of place of residence of each petitioner.

Upon the filing of said petition, the board of supervisors shall set a time for the hearing thereof, which shall be not less than fifteen and not more than thirty days from the date the petition is filed. Notice of the filing of said petition shall be given by the clerk of said board by publishing at least once a week, for at least two weeks, in a newspaper printed, published and circulated in the county in which the district is situated, a notice that the petition has been filed, giving the time set for the hearing thereof, and that the petition, together with all written protests filed with said clerk prior to the time set for said hearing, will be heard and passed upon at that time, and that all persons interested therein may then appear and be heard. Said notice shall also contain the text of the petition, but not more than five of the names attached thereto need be published, provided the number of the total of said names is stated.

At the time fixed for the hearing the board of supervisors shall hear the petition, together with such written protests as shall have been filed as herein provided, by or on behalf of the owners of taxable property situated within the district, or within the proposed addition thereto, and may adjourn such hearing from time to time, not exceeding four weeks in all.

No defect in the contents of the petition or in the notice, or publication of the notice, shall vitiate any proceedings thereon, provided such petition, or petitions, have a sufficient number of qualified signatures attached thereto.

At said hearing said board may make such changes in the proposed boundaries of the territory sought to be added as may be deemed advisable, but said board shall not modify said boundaries so as to exclude any territory which in its opinion will be benefited by being added to the district. Upon such hearing of said petition, said board shall find as to the sufficiency of said petition, and its decision thereon shall be final and conclusive.

At the expiration of the time at which protests may be filed, if none be filed, or if protests be filed and after hearing be denied, then said board shall be deemed to have acquired jurisdiction to further proceed, and the board may grant the petition, in whole or in part, and shall fix the boundaries of the territory sought to be added, and shall, by resolution or ordinance, after having acquired jurisdiction to proceed, provide for and order the holding of a special election in said district and in said proposed addition, to determine whether or not the territory in said proposed addition shall be added to the district. At such election the proposition to be submitted shall be: "Shall the territory described in the resolution of the board of supervisors, adopted on the-----day of-----, 19--, be added to-----county water-works district No.-----?" For the purposes of said election, said board shall in said resolution or ordinance establish one or more precincts within the boundaries of said county waterworks district, and one or more precincts within the boundaries of the territory sought to be added thereto, designate a polling place, and appoint one inspector, one judge and one clerk for each such precinct. In all particulars not recited in such resolution or ordinance, such election shall be held as provided by law for holding general elections in such county. Such resolution or ordinance ordering the holding of said election shall, prior to the date set for said election, be published five times in a daily, or twice in a weekly or semiweekly newspaper of general circulation, printed and published in such county and designated by said board for said purpose. No other notice of said election need be given. If at such election a majority of the votes cast in the district then existing and a majority of the votes cast in the territory sought to be added thereto are in favor of such addition, the board shall enter an order to that effect upon its minutes, declaring said territory added to the district, and from and after the date of such order, such territory shall be deemed added to and shall form a part of said district, subject to all the rights, privileges, powers and responsibilities set forth in this act and necessarily incident thereto.

If, in the judgment of the board of supervisors, it is deemed necessary, because of the lack of sufficient moneys in the funds of the district to provide adequate water, construct necessary plants and distributing systems, or properly serve the territory sought to be added, or for any other reason, to make the addition of the new territory conditional upon the voting and issuance of additional bonds, said board may, in its resolution or ordinance granting the petition, or a part thereof, and calling an election upon the proposition of adding new territory to the district, order that said election shall be upon the joint proposition of adding new territory and of incurring an indebtedness by the issuance of bonds of the district as the same will exist if the new territory sought to be added is added thereto. Said ordinance or resolution shall state the purpose for which the proposed debt is to be incurred, the amount of the debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed forty years and the maximum rate of interest to be paid, which shall not exceed eight per cent per annum, payable semiannually. The proposition to be voted upon in such event shall be: "Shall the territory described in the resolution of the board of supervisors adopted on the-----day of-----, 19--, be added to-----county water-works district No.-----, and shall said district, as the same will exist after the addition of said territory, incur a bonded indebtedness in the sum of-----dollars (\$-----) for the purpose of (stating the purposes for which the amount



so raised is to be used)?" Notice of said election and all matters in connection with said election shall be given and conducted in the manner hereinbefore provided, where the proposition is to be upon the sole question of the adding of new territory. If at such election a majority of the votes cast in the district then existing and a majority of the votes cast in the territory sought to be added thereto are in favor of said proposition of adding new territory and of incurring such bonded indebtedness, then the board of supervisors shall enter an order to that effect upon its minutes, declaring said new territory added to the district, and from and after the date of such order such territory shall be deemed added to and shall form a part of said district subject to all the rights, privileges, powers and responsibilities set forth in this act and necessarily incident thereto and said board shall thereupon be authorized and empowered to issue bonds of said district (as the same will exist after the addition of such new territory), for the amount voted upon at said election. The provisions elsewhere in this act made for the form of bonds, issuance and sale of bonds, the levying and collecting of taxes for the payment thereof and of other matters relating to bonds of the district shall govern in the case of such bonds.

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1209—An act to amend section 2 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the powers of the Los Angeles County Flood Control District.

**COMMITTEE AMENDMENTS.**

During the second reading of the bill, the following committee amendments were offered:

**AMENDMENT NUMBER ONE.**

On page 2 of the printed bill, strike out lines 28, 29, and 30.

**Amendment adopted.**

**AMENDMENT NUMBER TWO.**

On page 2, line 31, of the printed bill, strike out the figures "12", and insert in lieu thereof the figures "11".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1238—An act establishing a regional fair to be held annually in the city of Riverside, to create the Southern California Regional Board of Agriculture and defining the powers and duties of the officers and members of the same and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 26—An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 410—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission, submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives



Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1247—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations; creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the apportionments of cost of grade separations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 687—An act to amend sections 4, 6, 7 and 8 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to the powers and duties of the Veterans' Welfare Board.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, after the word "act", strike out the period and insert in lieu thereof a comma and add the following: "unless such veteran shall return to the California veterans' welfare board an amount of money equal to that received by him as such educational aid not to exceed one hundred dollars. Any money so returned shall be deposited in the veterans' farm and home building fund and used in carrying out the purposes of this act."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 236—An act to add a new section to the Political Code, to be numbered section 737r, relating to the salaries of the judges of the superior courts of the county of Riverside;

Also: Senate Bill No. 763—An act to amend section 737g of the Political Code, relating to the salary of the superior judge in Santa Cruz County;

Also: Senate Bill No. 597—An act to add a new section to the Penal Code, to be numbered 737e, relating to the salary of superior judge in Contra Costa County;

Also: Senate Bill No. 804—An act to amend section 737 of the Political Code, relating to salaries of the judges of the superior court, and to repeal sections 737b, 737c, 737d, 737e, 737f, 737g, 737h, 737i, 737k, 737l, 737m, 737n, 737o, 737p, 737r, 737s, 737t, 737u, 737v, 737w, 737x, 737y, 737z, 738, 738a, 738b, 738c, 738d, and 738e, of the Political Code;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—7; absent—6.

SWING, Chairman.

Senate Bills Nos. 236, 763, 597 and 804 ordered on file for second reading.

## POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Breed, further consideration of the motion to reconsider the vote whereby Senate Bill No. 846 was passed was continued until the next legislative day.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 260—An act to add a new section to the Civil Code, to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 260 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Felton, Garrison, Gray, Handy, Hollister, Ingram, Imman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## SENATE CONCURRENT RESOLUTION No. 25.

Relative to an investigation and report upon educational facilities for the instruction of the deaf.

WHEREAS, It is necessary and desirable that a thorough investigation be made of the various educational facilities, public and private, State and local, now provided for the deaf, of the number and distribution of deaf people in this State and of the adequacy and suitability of the California School for the Deaf located at Berkeley, Alameda County, in order that the Legislature may have available adequate information to enable it to fix and determine the policy that should be adopted in this regard; now, therefore, be it

*Resolved by the Senate, the Assembly concurring.* That three members of the Senate shall be appointed by the President of the Senate and three members of the Assembly by the Speaker of the Assembly, who shall constitute a committee whose duty it shall be to investigate the matters mentioned or contained in these resolutions and to report their findings in full to the Legislature at the forty-eighth session thereof and to make such recommendations in connection therewith as they deem of permanent benefit to the State; and be it further

*Resolved.* That the said committee shall proceed at once to organize by the election of one of its members as chairman and by the selection of a secretary and to proceed forthwith with said investigation in the manner to be determined by said committee; and be it further

*Resolved.* That the committee shall have power to employ such assistance as may be necessary and that the expenses incurred in such investigation, not to exceed the sum of one thousand dollars, shall be paid equally by the Senate and Assembly out of their respective contingent funds; and be it further

*Resolved.* That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and objects hereinbefore referred to, and is hereby authorized and empowered to require the production of persons, books, agreements, documents, records and papers of every kind; to issue subpoenas and to take all necessary means to compel the attendance of witnesses, and to procure testimony and the members of said committee are and each of them is hereby authorized to administer oaths; and all the provisions of article VIII of chapter II, title I, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution; also said committee is hereby given leave to sit during the sessions of the Legislature, during the recess thereof, and during the interval between sessions thereof, either at the Capitol, or at such other place, or places as said committee shall from time to time designate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 25 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 25 ordered transmitted to the Assembly.

#### LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for the remainder of this day.

Senate Bill No. 567—An act to amend section 1859 of the Political Code, relating to the length of the school term.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 567 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 566 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 31—Relating to adjournment—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER  
THIRTY-ONE.

Senator Breed asked for and was granted unanimous consent to take up Assembly Concurrent Resolution No. 31 at this time for purpose of amending.

Assembly Concurrent Resolution No. 31—Relating to adjournment.

## COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed resolution, strike out the words "Saturday, April 23", and insert in lieu thereof the words "Friday, April 29".

Amendment adopted.

Assembly Concurrent Resolution No. 31 read, ordered to print, and on file.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1156—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violations of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CANEPA, Chairman.  
EVANS.  
JOHNSON.  
LYON.  
PEDROTTI.  
SHARKEY.  
WAGY.

Assembly Bill No. 1156 ordered on file for second reading.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 544—An act to provide for the formation, management and dissolution of county police protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 544 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 114—An act to create a flood control district to be called "Orange County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, water ways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 114 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for this day.

Assembly Bill No. 180—An act to amend sections 1 and 2 of an act entitled "An act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same, and providing penalties therefor," approved March 20, 1903, as amended, by reducing the criminal penalty and adding a civil penalty for violation thereof, and by making its provisions apply to misrepresentations regarding the existence of work and the length of time such work will last.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 180 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 263 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Garrison, Handy, Ingram, Jones, Ray; Kline, Lyon, McKinley, Mueller, Nelson, Rush, Sharkey, Slater, Swing, Wagy, Weller, and West—23.

NOES—Senators Allen, N. M., Canepa, Fellom, Gray, Hollister, Inman, Jones, H. C., Maloney, Murphy, Pedrotti, and Tubbs—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 598—An act to add a new section, to be numbered 383a, to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 598 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Wagy, and Weller—26.

NOES—Senators Allen, J. M., Cobb, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1197—An act making an appropriation to meet a deficiency in the appropriation for transportation on account of arrest of criminals without the State for the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 1204—An act making an appropriation to meet a deficiency in the appropriation for transportation of prisoners and insane for the seventy-seventh and seventy-eighth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bills Nos. 1197 and 1204 read first time, without reference to committee.

CONSIDERATION OF ASSEMBLY BILLS NUMBERS ONE THOUSAND ONE HUNDRED NINETY-SEVEN AND ONE THOUSAND TWO HUNDRED FOUR.

Senator Inman asked for and was granted unanimous consent to take up for consideration Assembly Bills Nos. 1197 and 1204, without reference to committee.

#### RECOMMENDATIONS OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communications recommending the passage of Assembly Bills Nos. 1197 and 1204:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

April 13, 1927.

*To the Senate and the Assembly of the State of California.*

Assembly Bill No. 1197 makes an appropriation to meet the deficiency in the appropriation for transportation on account of arrest of criminals without the State for the seventy-seventh and seventy-eighth fiscal years.

In my opinion, the appropriation necessary for such expenditures during the remainder of the seventy-eighth fiscal year constitutes an emergency within the meaning of article IV, section 34 of the constitution, and I therefore recommend the passage of this bill as an emergency bill.

Respectfully submitted.

C. C. YOUNG, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

April 13, 1927.

*To the Senate and the Assembly of the State of California.*

Assembly Bill No. 1204 makes an appropriation to meet the deficiency in the appropriation for the transportation of prisoners and insane for the seventy-seventh and seventy-eighth fiscal years.

In my opinion, the appropriation necessary for such expenditures during the remainder of the seventy-eighth fiscal year constitutes an emergency within the meaning of article IV, section 34 of the constitution, and I therefore recommend the passage of this bill as an emergency bill.

Respectfully submitted.

C. C. YOUNG, Governor.

#### CASE OF URGENCY.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 1197 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones,

H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, and West—33.  
 NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1197.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND  
 ONE HUNDRED NINETY-SEVEN.

Assembly Bill No. 1197—An act making an appropriation to meet a deficiency in the appropriation for transportation on account of arrest of criminals without the State for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

Assembly Bill No. 1197—An act making an appropriation to meet a deficiency in the appropriation for transportation on account of arrest of criminals without the State for the seventy-seventh and seventy-eighth fiscal years.

Bill read third time.

URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, and West—32.  
 NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1197 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, and West—32.  
 NOES—None.

Title read and approved.

Assembly Bill No. 1197 ordered transmitted to the Assembly.

CASE OF URGENCY.

The following resolution was offered:

By Senator Inman:

*Resolved*, That Assembly Bill No. 1204 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—34.

NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1204.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND  
TWO HUNDRED FOUR.

Assembly Bill No. 1204—An act making an appropriation to meet a deficiency in the appropriation for transportation of prisoners and insane for the seventy-seventh and seventy-eighth fiscal years.

Bill read second time, considered engrossed, and on file for third reading.

Assembly Bill No. 1204—An act making an appropriation to meet a deficiency in the appropriation for transportation of prisoners and insane for the seventy-seventh and seventy-eighth fiscal years.

Bill read third time.

URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1204 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 27. A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding two new sections thereto to be known as and numbered sections 3 and 4 of article XIV thereof, relating to water rights.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Constitutional Amendment No. 27 read, and referred to Committee on Constitutional Amendments.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relative to the general powers of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1006 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 769—An act to amend sections 1510, 1511b and 1514 of the Penal Code, relating to the powers and duties of coroners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 769 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Waggy, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 605—An act to amend section 16 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, relating to the reporting of contagious diseases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 605 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

## NOTICE OF MOTION TO RECONSIDER.

Senator Chamberlin gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 605 was passed.

Assembly Bill No. 306—An act to be known as the "Pure Milk Law of California," to prevent the sale of impure and unwholesome milk, butter, ice cream and other milk products; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations

therefor, and to empower cities, counties and groups of cities and counties to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the payment of a fee to defray the expenses of such approved milk inspection service; to provide for examination, testing, branding and exclusion of tuberculin cattle; to prescribe penalties for violation of the provisions hereof; to repeal an act known as the "Pure Milk Law," approved June 15, 1923, as amended, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 306 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 128—An act to establish a State park to be known as "Burney Falls State Park" at Burney Falls, near the town of Burney, Shasta County, California, and creating a commission for the administration, improvement and control of said Burney Falls State Park, and to provide for the construction, maintenance and operation of buildings and improvements, and for the conduct and management thereof, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 128 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Mueller, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 934—An act to add new sections, to be numbered 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q, 64r, to the California Water Storage District Act, approved June 3, 1921, as amended, relating to the inclusion and exclusion of lands in and from water storage district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 934 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 140—An act reserving certain State lands in Del Norte County for park and recreational purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 140 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Mueller, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 372—An act to amend section 438 of the Code of Civil Procedure, relating to counterclaims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 372 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, McKinley, Mueller, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTY-ONE.

Senator Breed asked for and was granted unanimous consent to consider Assembly Concurrent Resolution No. 31 at this time for proposed adoption.

#### ASSEMBLY CONCURRENT RESOLUTION No. 31.

Relating to adjournment.

*Resolved by the Assembly, the Senate concurring,* That the forty-seventh session of the California Legislature do adjourn sine die, at twelve o'clock noon, Friday, April 29, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 31 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, McKinley, Nelson, Pedrotti, Slater, Swing, Tubbs, Wag, Weller, and West—27.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 31 ordered transmitted to the Assembly.

Assembly Bill No. 1222—An act to provide for the creation of a Board of Parole Commissioners for each county in this State for the parole of persons confined in city, county, or city and county jails.



and authorizing and empowering such boards to make rules and regulations in relation thereto and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Wagy moved to refer Assembly Bill No. 1222 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following: "The county, except in the city jail in any city wherein there is established a municipal court, or in any jail as a prisoner of any city, except in cities where there is established a municipal court,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1222, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and on motion of Senator Wagy adopted.

Bill ordered to print.

Assembly Bill No. 412—An act to amend sections 19, 79 and 79a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and to add new sections to said act, which said new sections shall be designated sections 79b, 79c, 79d, 79e, 79f, 79g, 79h, 79i, 79j, 79k, and 79l, relating to bonds of contractors and definition of terms used in said act, and to proceedings thereunder.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 412 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 15, of the printed bill, strike out the words "and/or", and insert in lieu thereof the word "or".

AMENDMENT NUMBER TWO.

On page 4, line 9, of the printed bill, strike out the words "and/or", and insert in lieu thereof the word "or".

AMENDMENT NUMBER THREE.

On page 4, line 12, of the printed bill, strike out the words "and/or", and insert in lieu thereof the word "or".

AMENDMENT NUMBER FOUR.

On page 4, line 20, of the printed bill, strike out the words "and/or", and insert in lieu thereof the word "or".

AMENDMENT NUMBER FIVE.

On page 4, line 21, of the printed bill, strike out the words "and/or", and insert in lieu thereof the word "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 412, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Boggs adopted.  
Bill ordered to print.

Assembly Bill No. 889—An act to amend sections 8, 10 and 18½ of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended.  
Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 889 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the amended printed bill, strike out all of said line after the comma following the word "churches", and insert in lieu thereof the following: "community, creamery".

AMENDMENT NUMBER TWO.

On page 7, line 3, of the amended printed bill, strike out the words "become void", and insert in lieu thereof the words "be suspended".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 889, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Boggs adopted.  
Bill ordered to print.

Assembly Bill No. 398—An act to amend section 2322r16 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies and inspectors in counties of the sixteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Assembly Bill No. 398 to Senator Mueller, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the figures "2322r26", and insert in lieu thereof the figures "2322r16".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 398, with instructions to amend, respectfully reports the same back, amended as per instructions.

MUELLER, Special Committee.

Report read, and on motion of Senator Garrison adopted.  
Bill ordered to print.

## APPROVAL OF JOURNALS.

The senate Journals of Monday, March 21; Tuesday, March 22; Wednesday, March 23; Thursday, March 24; Friday, March 25; Monday, March 28; Tuesday, March 29; Wednesday, March 30; Thursday, March 31; Friday, April 1; Monday, April 4; Tuesday, April 5; Wednesday, April 6; Thursday, April 7, and Friday, April 8, were, on motion of Senator Breed, approved as corrected.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following constitutional amendment was introduced:

By Senator Weller: Senate Constitutional Amendment No. 32—Proposed amendment to article VI of the constitution, relative to the appointment of the chief justice and the associate justices of the Supreme Court, and the judges of the district courts of appeal.

Referred to Committee on Constitutional Amendments.

## ADJOURNMENT.

At five o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Thursday, April 14, 1927.

## IN SENATE.

## SENATE CHAMBER.

SACRAMENTO, Thursday, April 14, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Arthur H. Breed, President pro tempore of the Senate, in the chair.  
Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—39.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 13, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. F. P. Feliz, attorney, of Monterey, California, member of Assembly during 1899 and 1901 (thirty-third and thirty-fourth sessions).

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Judge T. W. Harris, presiding judge of the superior court of Alameda County, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Laura E. Berry of Stockton, California, and Mrs. Charles Chittenden of Sacramento, California.

On request of Senator Allen, N. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Katharine McDermott of Los Altos, California; Mrs. O. P. Hayes, Sacramento, California; Mrs. Zoe Ballard Shively, Los Angeles, California, and Miss Lida Colliver of Los Altos, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. L. H. Golton, principal of Sonoma Valley High School; Mr. Jesse F. Prestwood, principal of Sonoma Grammar School; Miss Meta Stofers, postmaster; Miss Edna Cooper, Mrs. Ralph Hotz, Miss Alice Young, Mrs. Cooper, Mrs. Bori, Mrs. Carrie Burlingame, and Mrs. Lyle Campbell of Sonoma Valley, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Reeve Hobbie, Miss Francis Hobbie and Miss Catherine Hobbie of Monrovia, California.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss May A. McCarthy and Miss M. Laura Kennedy of the San Francisco School Department, San Francisco, California.

On request of Senator Johnson, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Maurice Leon Driver of San Francisco, California.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. E. L. Van Dellen, principal of Salinas Union High School of Salinas, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. M. McPhedran of San Francisco, California, and Mrs. E. G. Wood of Visalia, California.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 837—An act to amend section 1764c of the Political Code, relating to special classes in day and evening schools;

Also: Assembly Bill No. 836—An act to amend section 1764 of the Political Code, relating to schools;

Also: Assembly Bill No. 806—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section to be numbered 37f, relating to the compensation and travel expenses of water masters and the payment thereof;

Also: Assembly Bill No. 436—An act to provide for the establishment of weed free areas, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners and defining their powers and duties in relation hereto, prohibiting persons from permitting the propagation within weed free area of weeds of which said area has been declared to be practically free, providing penalties for violation hereof and repealing "An act to prevent the propagation of noxious weeds" approved June 3, 1921;



Also: Assembly Bill No. 15—An act to amend section 653c of the Penal Code, relating to the hours of labor on public works, by requiring contractors, or their agents, to file with the officer, board or commission awarding the contract a verified report as to the nature of any extraordinary emergency when their employees are permitted to work over eight hours per day, together with the names of the said employees and the hours worked per day, making failure to file said report within thirty days prima facie proof that no extraordinary emergency existed, also making it a misdemeanor for any contractor or subcontractor on public work, or agent thereof, to violate any of the provisions of the said section.

ARTHUR A. OHNIMUS, Chief Clerk,  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Assembly Concurrent Resolution No. 28—Approving the charter of the city of Albany, State of California, voted for and ratified by the qualified voters of said city of Albany, upon a special election held therein on the twenty-sixth day of March, 1927;

Also: Assembly Concurrent Resolution No. 32—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-seventh session of the Legislature of the State of California.

ARTHUR A. OHNIMUS, Chief Clerk,  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Concurrent Resolution No. 28 read, without reference to committee.

Assembly Concurrent Resolution No. 32 referred to Committee on Rules.

#### CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-EIGHT.

Senator Hurley asked for and was granted unanimous consent to consider Assembly Concurrent Resolution No. 28 at this time, without reference to committee.

Assembly Concurrent Resolution No. 28—Approving the charter of the city of Albany, State of California, voted for and ratified by the qualified voters of said city of Albany, upon a special election held therein on the twenty-sixth day of March, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 28 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Waggy, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 28 ordered transmitted to the Assembly.

#### REPORT.

The following report was received, and on motion of Senator Swing ordered printed in the Journal:

#### REPORT ON SANTA ANA COOPERATIVE INVESTIGATIONS.

Pursuant to chapter 476 of the Statutes of 1925, by the State Engineer and Engineering Consulting Committee appointed by Orange, Riverside and San Bernardino counties.

# THE WATER PROBLEMS OF SAN BERNARDINO, RIVERSIDE AND ORANGE COUNTIES.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS.  
SACRAMENTO, April 2, 1927.

*To the Governor of California and  
the State Legislature, Session of 1927.*

HONORABLE SIR: The main source of water for these three counties is the Santa Ana River and its tributaries, draining 1485 square miles above the lower canyon of the river, which is near the eastern boundary of Orange County. The grand total water crop from this area for the last thirty years has been estimated at over three hundred thousand acre feet per annum. This water is discharged largely in the form of torrential floods during the winter, followed by extreme low stages in the summer when it is most required. In Orange County 80 per cent of the total supply is now obtained from wells and probably over 50 per cent in San Bernardino and Riverside counties. In Orange County these large drafts on the ground water supply is causing its serious depletion. The same is true in large areas in San Bernardino County. In all three counties there is an excess of land not now served with water which under its present condition has little value, but if properly supplied with water would become exceedingly productive and valuable. The winter floods frequently occur in great volume rushing to the sea and causing great damage in their course. In Los Angeles County these flood damages in 1914 and 1916 were estimated at \$10,000,000. The flood in February, 1927, destroyed bridges at a loss of approximately \$400,000 in Riverside County. In Orange County the flood of 1916 is estimated to have done \$1,000,000 in damage. The amount of damage in San Bernardino County, while large, has not been estimated for 1927.

## PLAN OF STUDY.

The three counties of Orange, Riverside and San Bernardino, realizing the importance of an adequate water supply during periods of necessity and the avoidance of flood damage, requested the State of California to assist them in finding some remedy. This resulted in the passing of a State appropriation of \$25,000 to be expended during the fiscal period 1925-1927, as contained in chapter 476 of the Statutes of 1925. This instructed the State Engineer's office to carry out a water supply study in cooperation with the three counties, provided the three counties contributed an equal sum to this work. This county cooperation was obtained. Each county also appointed an engineer to represent it in consultation with the State Engineer. In addition to this the three counties are cooperating in the actual work of conserving flood waters by spreading them on the debris cones where the streams leave their mountain canyons. The water companies, which are practically all public institutions, have been expending funds in investigation for the conservation of the winter flows by spreading in the higher portion of the mountain basins.

## THE PROPOSED REMEDY.

The remedy for the problem of flood prevention and conservation, as contemplated consists in the storage of flood waters in the mountains for purposes of regulation and conservation. It is also proposed to store flood waters in the lower portion of the drainage basin before they reach the coastal plain and to regulate the winter flow for summer use. By the regulation of these floods it will be possible to handle them in such a way that much greater quantities of water can be put under ground by spreading and absorption so as to sustain the ground water levels.

## WORK ACCOMPLISHED.

The work accomplished during the biennium under the 1925 appropriation consists of an investigation of the available water supply and of the flood flows in all the tributaries of the Santa Ana, except the San Jacinto. Reconnaissance of over forty miles of stream channel was made for reservoir sites with which their floods might be controlled. Field surveys were made of the sites found, the reservoir capacities determined, cost estimates made for several heights of dam at each site, and the degree of control of floods determined for several reservoir capacities. In all, 19 dam sites and 13 separate reservoir sites were so investigated. The foundations of two of the dam sites were explored with the diamond drill. In addition, an underground water contour map was made of the Santa Ana Basin and much data collected on the subsurface supply and the use of water.

## WORK REMAINING TO BE DONE.

While the investigations provided for in the act referred to above have been carried on diligently and continuously for the last two years, the problem has been found to be so complex and involves such great values that a conclusion as to the best method of procedure and remedy can not yet be stated. Some of the dam sites surveyed have not been explored for bedrock. Others have been surveyed so recently that time has not been available for the study of plans and estimates. It

is particularly important that the ground water supplies should be more thoroughly investigated, as a large portion of the water must always be derived from this source. When the physical data is complete some reasonable plan should be outlined for the improvement of the entire basin as a unit if possible.

Probably the largest undeveloped supply in southern California is the Mojave River in San Bernardino County. Very little is known of this stream except that its flood discharge is very great and its low water flow exceedingly small. Reservoir sites exist and the underlying lands are desert. We recommend that this water supply study should be extended to the basin of the Mojave River.

#### ESTIMATED COST OF WORK.

It is proposed that the three counties should continue their studies and experiments as to the effectiveness of putting flood waters under ground by spreading operations, and that these counties should bear this portion of the expense. Partly in consideration of this, we advise that the State continue their general hydrographic studies of surface and ground waters in these three counties, including the Mojave River. The estimated cost of continuing this State work for the coming two years is \$75,000.

Respectfully submitted.

PAUL BAILEY,  
State Engineer.

Approved: CONSULTING ENGINEERING COMMITTEE.

J. B. LIPPINCOTT,

Representative from Orange County.

A. L. SONDEREGGER,

Representative from Riverside County.

GEO. S. HINCKLEY,

Representative from San Bernardino County.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 267—An act to amend section 103½ of the Code of Civil Procedure of the State of California, relating to clerks of justices' courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments; salaries and duties of same;

Also: Assembly Bill No. 293—An act to amend section 4233 of the Political Code, relating to the salaries and expenses of officers of counties of the fourth class;

Also: Assembly Bill No. 519—An act to amend section 172a of the Civil Code, relating to the management of community real property;

Also: Assembly Bill No. 631—An act to amend section 409 of the Political Code, relating to fees to be collected by the Secretary of State;

Also: Assembly Bill No. 701—An act to add a new section to the Code of Civil Procedure, to be numbered section 1381, relating to the rights of the United States government or a department or bureau thereof in the matter of estates of deceased persons, incompetent persons, and minors in cases where compensation, pension, insurance, or other allowance is made.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 267 and 293 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 519, 631 and 701 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 670—An act to amend section 79 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assess-



ments for the cost thereof and providing a method for the payment of such bonds, approved April 7, 1911, as amended, relating to definitions of terms.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 670 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 887—An act to amend section 653*d* of the Penal Code of the State of California, relating to retaining wages of employees upon public works:

Also: Assembly Bill No. 925—An act to amend section 103½ of the Code of Civil Procedure, relating to the appointment, duties and compensation of clerks of city justice's courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes:

Also: Assembly Bill No. 886—An act to amend section 72 of the Penal Code of the State of California, relating to presenting false or fraudulent claims to public officers:

Also: Assembly Bill No. 1219—An act to repeal an act entitled "An act for the support of certain cemeteries in Tehama county," approved April 1, 1872, and to provide for the disposition of moneys and funds heretofore collected under the provisions of said act.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 887 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 925 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 886 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1219 read first time, and referred to Committee on County Government.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 136—An act to amend section 626*d* of the Penal Code, relating to the bag limit on game and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1125—An act to amend section 602*b* of the Political Code, relating to compensation insurance:

Also: Assembly Bill No. 1068—An act to amend section 690 of the Code of Civil Procedure, relating to the exemption of life insurance benefits from execution or attachment:

Also: Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents:

Also: Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HOLLISTER, Chairman.

Assembly Bills Nos. 1125 and 1068 ordered on file for second reading.  
Senate Bills Nos. 538 and 539 ordered on file for second reading.



## COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Hollister, Crowley and Kline as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 486.

The Secretary was directed to notify the Assembly of the Senate appointment of Committee on Free Conference.

## CONSIDERATION OF DAILY FILE.

## THIRD READING OF ASSEMBLY BILL—(OUT OF ORDER).

Assembly Bill No. 621—An act to amend sections 9 and 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Assembly Bill No. 621 to Senator Murphy, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 4, line 27, of the printed bill, after the word "anatomy", insert a comma and the following: "including embryology and histology".

## AMENDMENT NUMBER TWO.

On page 4, line 47, of the printed bill, after the comma following the word "urology", strike out the remainder of the line, and in line 48 strike out the words "nose and throat", and insert in lieu thereof the following: "ophthalmology, otolaryngology".

## AMENDMENT NUMBER THREE.

On page 4 of the printed bill, strike out all of lines 50, 51 and 52, and insert in lieu thereof the following:

Group 9.	
Obstetrics and gynecology.....	4 to 5 per cent
Total .....	76 to 100 per cent
Electives .....	24 0 per cent
Total number of hours required.....	4,000 hours

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 621, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley adopted.

Bill ordered to print.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 149—An act to amend section 190 of the Penal Code, relating to murder in the second degree.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 577—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, Statutes 1897, page 254, as amended, by amending the title of said act and adding thereto six new sections to be numbered 108a, 108b, 108c, 108d, 108e, 108f, to provide for the construction, reconstruction, betterment or improvement of an irrigation system, or systems, or the purchase or acquisition of an irrigation system or systems already constructed, and providing for the payment of the costs and expenses of such acquisitions and such work and improvements and the issuance of bonds therefor and the payment of such bonds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 455—An act to amend section 626m of the Penal Code, relating to fishing and hunting at night.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 725—An act to amend section 642 of the Political Code of the State of California, relating to the fish and game commissioners and their assistants and employees and prescribing their duties and powers, and providing a license fee to be charged commercial gun clubs.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of that part of line 1 of the title following the word "to", and all of lines 2, 3, 4 and 5 of the title, and insert in lieu thereof the following: "regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all that part of line 1 following "Section 1.", and all of lines 2 to 24, inclusive, and on page 2 of the printed bill, strike out all of lines 1 to 41, inclusive, and insert in lieu thereof the following: "Every person, firm, association or corporation in the State of California who maintains any premises, as owner, lessee, or occupant, on which a fee is charged, imposed, assessed, collected or received, for the privilege of hunting thereon, and every person in the State of California, who operates or assists in operating any such premises without first procuring the license or licenses of the class or classes provided in this act is guilty of a misdemeanor.

SEC. 2. Licenses granting the privilege to maintain a commercial hunting club, and licenses granting the privilege to operate or assist in operating a commercial hunting club shall be issued and delivered, upon application, by the board of fish and game commissioners, which board shall prepare suitable licenses of two forms and have printed or stamped thereon, respectively, the words, "Commercial hunting club license number \_\_\_\_\_, State of California, expires June 30, 19\_\_\_\_," and "Commercial hunting club operator's license number \_\_\_\_\_, State of California, expires June 30, 19\_\_\_\_," with the separate registration number and appropriate year printed or stamped thereon, and said board shall account for such licenses to the controller of the state every three months, beginning with the first day of July of each year.

SEC. 3. (a) Commercial hunting club licenses, as herein provided, shall be issued as follows:

First—To any citizen of the United States, upon the payment of twenty-five dollars.

Second—To any person, not a citizen of the United States, upon the payment of one hundred dollars.

(b) Commercial hunting club operator's licenses, as herein provided, shall be issued as follows:

First—To any citizen of the United States, upon the payment of five dollars.

Second—To any person, not a citizen of the United States, upon the payment of twenty-five dollars.

SEC. 4. Every person, firm, association or corporation applying for and receiving a commercial hunting club license, as herein provided, shall furnish to the fish and game commission the names of all persons financially interested in said club and a list of the officers and stockholders if said club is a corporation, and shall furnish a written description of all lands, or lands and water, that are owned or leased or that are to be maintained, wholly or in part, as a commercial hunting club and shall further state whether the fees are to be charged, imposed, assessed or collected daily, weekly, seasonally or otherwise.

Every person applying for and receiving a commercial hunting club operator's license, as herein provided, must first procure a hunting license for the current license year and furnish the number of such hunting license, and a written description of himself by age, height, color of hair and eyes, nationality and residence.

SEC. 5. All licenses issued as herein provided shall be valid, from the first day of July of the year in which such license was issued, until the date of expiration written or stamped thereon, and shall authorize the person to whom issued to maintain or operate, or assist in operating, a commercial hunting club in accordance with the law and under the regulations which the fish and game commission is hereby authorized and directed to prescribe, but no license shall continue in force longer than one year, nor shall such license be issued to any person unless the holder thereof shall agree to exhibit such license, and any game that may be in his possession or under his control, upon demand, to any officer authorized to enforce the fish and game laws of this state, or any peace officer of the state, and shall further agree to comply with all regulations prescribed by the fish and game commission for the maintenance and operation of commercial hunting clubs, said agreement to be contained in said license.

SEC. 6. Not more than one license of each class herein provided shall be issued to any one person for the same license year, except upon affidavit that the one previously issued as herein provided has been lost or destroyed, and no license issued as herein provided shall be transferable or used by any other person than the one to whom it was issued.

SEC. 7. Every person having a license as provided herein must exhibit such license and any game that may be in his possession or under his control, upon demand, to any officer authorized to enforce the fish and game laws of this state, or any peace officer of the state.

SEC. 8. For the purpose of this act, any premises on which a fee is charged, imposed, assessed, collected or received, directly or indirectly, for the privilege of hunting thereon, shall be considered a commercial hunting club; any person who, as owner, lessee, tenant or occupant of any premises, charges, imposes, assesses, collects or receives, directly or indirectly, any fee for the privilege of hunting thereon, and any person who, for profit, guides or otherwise assists hunters on such premises, shall be deemed to be operating or assisting in operating a commercial hunting club; *provided*, that premises owned or leased by hunting clubs, which are entirely maintained and operated by the regular members of such clubs, shall not be included under the provisions of this act if no fees are charged, or assessed to, imposed upon or collected or received from, guests for the privilege of hunting thereon, and the caretakers of such premises, or other employees, shall not be deemed to be operating or assisting in operating a commercial hunting club.

SEC. 9. Any license issued as herein provided may be revoked by the court having jurisdiction, or by the fish and game commission, when and if the holder thereof shall have been convicted in any court in this state for a violation of the fish and game laws, and no new license shall be issued to such person during the same license year.

SEC. 10. Every person who makes any false statement as to any of the facts required by this act, for the purpose of obtaining a license, and every person violating any of the provisions of this act, or any regulation prescribed thereunder, shall be guilty of a misdemeanor, and shall upon conviction thereof be punished by a fine of not less than twenty-five dollars, nor more than five hundred dollars or by imprisonment in the county jail in the county in which the conviction shall be had, not less than twenty-five days nor more than one hundred and fifty days, or by both such fine and imprisonment and shall forfeit such license or licenses as may have been obtained, and no new license shall be issued to such person for the remainder of the license year.



SEC. 11. All moneys collected from the sale of licenses as provided in this act and all fines and forfeitures imposed and collected for the violation of any of the provisions thereof, shall be paid into the state treasury to the credit of the fish and game preservation fund."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 884—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*ag*, inclusive, and relating to the formation of corporations to receive bequests, gifts and donations and administer the same.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 48—An act reserving certain lands situated in Mission Bay, in the county of San Diego, to be used as a State park, providing for the management of the same by a commission; prescribing the duties and powers of such commission.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 578—An act granting to the La Jolla Beach and Yacht Club, a corporation, a perpetual easement for a channel across certain tide lands in the city of San Diego.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 459—An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District"; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose, and declaring this act to be an emergency measure.

Bill read second time, ordered engrossed, and on file for third reading.



Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the district courts of appeal. Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3a and 3b, respectively, relating to licenses.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 803—An act to provide for the appointment, employment, and compensation of the officers and employees of the Judicial Council of the State of California, and for the incidental expenses and disbursements of said council.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 865—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

An act to authorize the attorney general, as prochein ami or next friend acting for and on behalf of the Indians of California, to bring suit or suits against the United States in the court of claims in the event that the congress of the United States authorizes the same and making an appropriation to cover expenses incident thereto.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the words "guardian of the Indians of", and all of lines 4 to 11, inclusive, and insert in lieu thereof the following: "prochein ami or next friend acting for and on behalf of the Indians of California, to institute suit or suits in the court of claims, the attorney general is hereby authorized to cause a suit or suits to be instituted and to employ special counsel to assist in the prosecution of such suit or suits, and to incur all necessary expenses incident thereto; *provided*, that the attorney general shall be satisfied that such suit or suits holds reasonable promise of substantial benefits in the shape of compensation to the Indians of California; *and provided further*, that the legislation by the congress of the United States shall insure the reimbursement to the State of California of the expenses incident to the prosecution of such suit or suits.

SEC. 2. The sum of five thousand dollars (\$5000.00) is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to be used by the attorney general for the expenses incident to such suit or suits as herein provided.

SEC. 3. The state treasurer shall draw warrants on properly certified and itemized vouchers and proofs of such incident expenses furnished by the attorney general, and the state treasurer shall pay the same.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State and making an appropriation to pay the salaries of said appointees, not otherwise provided for during the seventy-ninth and eightieth fiscal years.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the word "and" in line 2 of the title of the printed bill, and substitute a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of lines 3, 4 and 5 of the title of the printed bill.

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out the words "one assistant secretary", in line 4, and all of lines 5 and 6, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 7 of the printed bill, strike out the words "chief deputy", and insert in lieu thereof the words "two deputies".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 8 of the printed bill, after the word "dollars", insert the word "each".

Amendment adopted.

AMENDMENT NUMBER SIX.

Strike out all of line 9 of the printed bill, which follows the comma, all of line 10, and the words "thousand six hundred dollars" and the comma in line 11.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 15 of the printed bill, strike out the word "commissioner", and insert in lieu thereof the word "commission".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

Strike out all of lines 18 to 23, inclusive, of the printed bill.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 8 to 17, inclusive, and insert in lieu thereof the following : "the state board of education as trustees of the said state historical association."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, after the word and figure "Sec. 3.", insert the following : "The trustees of the state historical association are hereby authorized to receive contributions, donations and bequests from members of the said association or from other sources."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after the word "a", insert the following : "state historical association".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 26, of the printed bill, after the word "in", insert the words : "the state board of education as trustees of".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 805—An act to provide for the appointment, employment and compensation of the officers and employees of the Supreme Court of the State of California, and for the incidental expenses and disbursements of said court.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

At the end of line 2 of the title of the amended printed bill, after the word "fifty-five", strike out the comma and insert the word "and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In lines 3 and 4 of the title of the amended printed bill, strike out the words "and seven hundred sixty-seven".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In line 13 of the title of the amended printed bill, after the comma following the word "therefor", insert the following : "and to amend section seven hundred sixty-seven of the Political Code to provide for the salaries of the reporter and assistant reporters of the decisions of the supreme court and the district courts of appeal."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 26, of the amended printed bill, strike out the words "this act" and insert in lieu thereof the following : "articles I and II of this chapter".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, lines 47 and 48, of the amended printed bill, strike out the words "four thousand five hundred", and insert in lieu thereof the words "five thousand".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 50, of the amended printed bill, strike out the word "three" following the word "thousand", and insert in lieu thereof the word "six".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 3, line 1, of the amended printed bill, strike out the words "two thousand one hundred", and insert in lieu thereof the words "three thousand".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3, lines 3 and 4, of the amended printed bill, strike out the words "twenty-seven thousand six hundred twenty", and insert in lieu thereof the words "thirty-three thousand".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, commons, and all public ways and other property and rights of way of the public, including any property over which possession and right of use have been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or counties or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in carrying out of such acquisitions, work and improvements.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 809—An act to amend section 737w of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 5 of the printed bill, after the word "is", insert the word "seven".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 5 of the printed bill, strike out the words: "one-half", and insert in lieu thereof the following: "thirty-five hundred".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In line 6 of the printed bill, strike out the words: "other half", and insert in lieu thereof the word "balance".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 2—An act to amend section 738c of the Political Code, relating to the salaries of the judges of the superior court of the county of Monterey.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5, of the printed bill, strike out the following: "seventy-two hundred", and insert in lieu thereof the following: "six thousand".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "one-half", and insert in lieu thereof the following: "three thousand dollars".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out the words: "other one-half", and insert in lieu thereof the following: "remainder".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 46—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of additional judges and for their compensation.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, after the word "of", insert the word "an".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 3, of the title of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 4, of the title of the printed bill, strike out the words "for their", and insert in lieu thereof the words "the manner of payment of his".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, strike out the word "two", and insert in lieu thereof the word "one".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 103—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of the superior court judge of the county of Del Norte.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "one-half", and insert in lieu thereof "two thousand dollars".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the words "other half", and insert in lieu thereof the word "balance".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 105—An act to add a new section to the Political Code, to be numbered 737*cc*, relating to the salaries of superior court judges.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "one-half", and insert in lieu thereof the words "two thousand dollars".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the words "other half", and insert the word "balance".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 741—An act to add a new section, to be numbered 13, to an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, providing a department to be devoted to the study, education, employment and general welfare of the deaf.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In lines 3 and 4 of the title of the printed bill, strike out the following: "providing a department to be devoted to the study, education," and insert in lieu thereof the following: "relating to the collection of facts, information, and statistics to promote the education,".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out lines 5 to 9, both inclusive, and insert in lieu thereof the following:

"Sec. 13. The commissioner shall collect statistics".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, after the word "efforts", insert the following: "through the state free employment service".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill, strike out the word "keep", and insert the following: "cooperate with other agencies as directed by the governor in keeping".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out the word "obtain", and insert in lieu thereof the following: "obtaining".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 236—An act to add a new section to the Political Code, to be numbered section 737r, relating to the salaries of the judges of the superior courts of the county of Riverside.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "one".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "half", and insert in lieu thereof the words "three thousand dollars".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out the words "is to", and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, strike out the words "other half", and insert in lieu thereof the word "balance".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 763—An act to amend section 737*g* of the Political Code, relating to the salary of the superior judge in Santa Cruz County.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title, strike out the letter "g" following the words "thirty-seven", and insert the letter "x" in lieu thereof.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title, strike out the words "Santa Cruz", and insert in lieu thereof the word "Mendocino".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the words "Santa Cruz", and insert in lieu thereof the word "Mendocino".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, strike out the word "five", and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 4, of the printed bill, strike out the words "one-half", and insert in lieu thereof the words "three thousand dollars".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 5, of the printed bill, strike out the words "other half", and insert in lieu thereof the word "balance".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



Senate Bill No. 597—An act to add a new section to the Penal Code, to be numbered 737*w*, relating to the salary of the superior judge in Contra Costa County.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "one-half", and insert in lieu thereof the words "three thousand dollars".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the words "other half", and insert in lieu thereof the word "remainder".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 804—An act to amend section 737 of the Political Code, relating to salaries of the judges of the superior court, and to repeal sections 737*b*, 737*c*, 737*d*, 737*e*, 737*g*, 737*h*, 737*j*, 737*k*, 737*m*, 737*n*, 737*o*, 737*p*, 737*v*, 737*a*, 737*w*, 737*ab*, 737*cc*, 737*ee*, 738, 738*a*, 738*c*, 738*d* and 738*b*, of the Political Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the words "thirty-seven", insert the letter "b".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, after the word "court", strike out the balance of the title and insert in lieu thereof "of the county of Imperial."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, after the figures 737 insert the letter "b".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out all of said line and all of the balance of the printed bill and insert in lieu thereof the following:

Sec. 737*b*. The annual salary of each judge of the superior court of the county of Imperial is the sum of five thousand five hundred dollars; three thousand dollars of which shall be paid by the state, and the balance thereof by the county in which such judges are elected or appointed.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide

rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to a Division of Cannery Inspection.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1217 to Senator Boggs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the word "agriculture", insert the following: "or the division of animal industry California state department of agriculture."

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the word "agriculture", insert the following: "or the division of animal industry California state department of agriculture."

AMENDMENT NUMBER THREE.

On page 2, line 28, of the printed bill, after the word "agriculture", insert the following: "or the division of animal industry California state department of agriculture".

AMENDMENT NUMBER FOUR.

On page 2, line 44, of the printed bill, after the word "agriculture", insert the following: "or the division of animal industry California state department of agriculture".

AMENDMENT NUMBER FIVE.

On page 3, line 7, of the printed bill, after the word "agriculture", insert the following: "or the division of animal industry California state department of agriculture".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1217, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

THIRD READING OF SENATE BILLS.

Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443 and 1760 of the Political Code, relating to education, and making an appropriation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 630 to Senator Murphy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 10, line 37, of the amended printed bill, following the word hundred strike out the word "forty", and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TWO.

On page 4, line 3, of the amended printed bill, following the word "excess", insert the word "amount".

AMENDMENT NUMBER THREE.

On page 11 of the amended printed bill, beginning with line 39, strike out the following:

Eighth—Whenever in any school year, prior to the receipt by the school district of any county, or city and county of this state, of their state, county, or city and

county, or special or high school fund, the school districts of that county, or city and county shall not have sufficient money to their credit to pay the lawful demands against them, the county or city and county superintendent shall give the treasurer of said county or city and county, an estimate of the amount of school money that will next be paid into the county or city and county treasury, stating the amount to be appropriated to each district. Upon the receipt of such estimate it shall be the duty of the treasurer of said county, or city and county, to transfer from any fund not immediately needed to pay the claims against it, to the proper school fund an amount not to exceed ninety per cent of the amount estimated by the superintendent, and he shall immediately notify the superintendent of the amount so transferred. The funds so transferred to the school fund shall be retransferred by the treasurer to the fund from which they were taken, from the first money paid into the school fund after the transfer, and add in lieu thereof the following:

Eighth—Whenever between the first day of July and the last Monday in April of the succeeding year and prior to the receipt by the school districts of their state, county or city and county or special or high school fund, the school districts of a county or city and county shall not have sufficient money to their credit to meet current expenses of maintenance, it shall be the duty of the board of supervisors of said county or city and county to order, and of the treasurer of said county or of said city and county to make a temporary transfer from any fund of said county or said city and county, not immediately needed to pay claims against it, to the proper school fund an amount not to exceed eighty-five per cent of the amount of tax moneys which will accrue to such school district during such fiscal year, and upon the making of such transfer the treasurer shall immediately notify the superintendent of the amount so transferred. The funds so transferred to the credit of a school district shall be retransferred by the treasurer to the fund from which they were taken from the first moneys accruing to such school district and before any other obligation of such school district is paid from such moneys so accruing.

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 630, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

On motion of Senator Breed, Senate Bill No. 3 was passed on file, to retain its place on file.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

On motion of Senator Breed, Senate Bill No. 518 was passed on file, to retain its place on file.

Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

On motion of Senator Breed, Senate Bill No. 713 was passed on file, to retain its place on file.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 645 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CROWLEY IN THE CHAIR.

At eleven o'clock and twelve minutes a.m., Senator Crowley of the Twenty-second District was called to the chair.

Senate Bill No. 608—An act to amend section 637 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 608 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 136—An act to amend section 626d of the Penal Code, relating to the bag limit of game.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 136 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATE CONSTITUTIONAL AMENDMENT No. 18.

A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, relative to the issuance of bonds to the amount of \$10,000,000 for the acquisition of rights of way for railroad grade separations on the roads within the State highway system of the State of California, and for the construction of said railroad grade separations by the California Highway Commission.

*Resolved by the Senate, the Assembly concurring,* That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 4, reading as follows:

Sec. 4. Immediately upon the adoption of this section the State Treasurer shall prepare ten thousand suitable bonds of the State of California in the denomination of one thousand dollars each, to be numbered from one to ten thousand, inclusive, to bear such date and provide for such interest as may be determined by the highway finance board which is created by section 3 of this article. Said interest shall be fixed by said board according to the then prevailing market conditions, but shall at no time exceed six per cent per annum, and the determination of said board as to the rate of interest shall be conclusive as to the then prevailing market conditions, and said interest shall be payable on the third day of January and the third day of July of each and every year after the sale of said bonds, and said bonds shall become due and payable in annual parcels of one thousand dollar bonds, commencing July 3, 1934, and ending July 3, 1959.

There is hereby created in and for the State treasury, a fund to be known and designated as the "State railroad grade separations fund," and immediately after the sale of bonds the Treasurer of the State shall pay into the State treasury and cause to be placed in said fund the total amount received for said bonds, except such amount as may have been paid as accrued interest thereon. The amount that shall have been paid at such sale as accrued interest on the bonds shall be, by the Treasurer of the State immediately after such sale, paid into the treasury of the State and placed in the "State railroad grade separations interest and sinking fund" which is hereby created.

Moneys shall be drawn from said State railroad grade separations fund for the purposes herein designated upon warrants duly drawn by the Controller of the State upon demands made by the California Highway Commission and allowed and audited by the State Board of Control; *provided, however,* that out of the proceeds of the first sale of bonds made hereunder the State Controller and the State Treasurer shall transfer upon their respective books the sum of one hundred thousand dollars to the credit of the "State railroad grade separations revolving fund" which fund is hereby created in the State treasury.

The moneys in said State railroad grade separations revolving fund or such part thereof as the California Highway Commission shall deem necessary, may be expended from time to time upon the demands of the California Highway Commission, approved by the State Board of Control, for the purpose of making cash payments in advance for such expenditures as are necessary and proper to carry out the provisions of this section. Upon receipt of such demands, so approved, it shall be the duty of the State Controller to draw his warrant upon said State railroad grade separations revolving fund in favor of the person, firm, corporation or association therein named, and the State Treasurer shall pay the same. On or before the tenth day of each month thereafter, the California Highway Commission shall submit to the State Board of Control a verified, itemized statement, showing all expenditures during the preceding calendar month of the money so drawn from said State railroad separations revolving fund, accompanied by proper vouchers and receipts therefor. Said statements shall be audited by the State Board of Control in the same manner that claims against the State are audited, and if found to be correct shall be approved by the State Board of Control and transmitted to the State Controller with such approval endorsed hereon. The State Controller shall thereupon draw his

warrant upon the State railroad grade separations fund in favor of the California Highway Commission for the aggregate amount of such expenditures, and upon the surrender of such warrant, properly endorsed, the State Treasurer shall transfer the amount thereof upon the books of his office from the said State railroad grade separations fund to the said State railroad grade separations revolving fund to be expended as aforesaid.

There is hereby appropriated from the general fund of the State treasury, such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this section, as said principal and interest becomes due and payable.

There shall be collected annually in the same manner and at the same time as other State revenue is collected such a sum, in addition to the ordinary revenues of the State as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

The Treasurer of the State shall on the first day of January, 1929, and on the first day of each July and the first day of each January thereafter transfer from the general fund of the State treasury to the State railroad grade separations sinking fund such an amount of the moneys by this section appropriated as shall be required to pay the interest on the bonds sold hereunder, until the interest on all the said bonds so sold shall have been paid or shall become due in accordance with the provisions of this section.

There is hereby created in the State treasury a fund to be known and designated as the "State railroad grade separations sinking fund." The Treasurer of the State shall on the third day of July, 1934, and on the third day of July of each and every year thereafter, in which a partial of the bonds sold pursuant to the provisions of this section shall become due, transfer from the general fund of the State treasury to the said State railroad grade separations sinking fund such an amount of money appropriated hereunder as may be required to pay the principal of the bonds so becoming due and payable in such years.

The principal of all of said bonds sold shall be paid at the time the same becomes due from the State railroad grade separations sinking fund and the interest on all bonds sold shall be paid at the time said interest becomes due from the State railroad grade separations interest and sinking fund. Both principal and interest shall be so paid upon warrants duly drawn by the Controller of the State upon demands audited by the State Board of Control and the faith of the State of California is hereby pledged for the payment of the principal of said bonds so sold and the interest accruing thereon.

For the purposes of this section, a railroad grade separation is defined to be any crossing and the approaches leading thereto and therefrom between a State highway and the tracks of any commercial interurban or other railway by whatsoever power operated.

The moneys in said State railroad grade separations fund shall be used by the California Highway Commission to pay that portion of the cost of the acquisition of rights of way for railroad grade separations and the acquisition, construction and improvement of railroad grade separations upon State highways within the State highway system of the State of California as may be assigned to the State by order of and as apportioned by the State Railroad Commission.

When requested by the Highway Finance Board, the State Treasurer shall prepare such number of bonds so dated and bearing such interest rate thereon, all as so determined by said board. The said bonds and the interest thereon shall be payable in gold coin of the United States of the present standard of value either at the office of the Treasurer of said State or at the option of the holder at the fiscal agency for the State of California, in the city of New York, in the state of New York. The interest accruing on any of said bonds that may be sold shall be payable as herein provided on the third day of January and the third day of July of each and every year, after the sale of any of the said bonds. Said bonds shall mature at the times herein specified and the principal of said bonds shall be payable at either of the above designated places at such times. All bonds remaining unsold shall at the date of the maturity thereof be, by the Treasurer of the State, canceled and destroyed. All bonds issued pursuant to the provisions of this act shall be signed by the Governor of this State, countersigned by the State Controller and endorsed by the State Treasurer, and the said bonds shall be so signed, countersigned and endorsed by the officers who are in office on the date of the issuance of any parcel of bonds hereunder and each of said bonds shall have the great seal of the State of California impressed thereon. The said bonds signed, countersigned, endorsed and sealed as herein provided, when sold, shall constitute a valid and binding obligation upon the State of California, though the sale thereof be made at the date or dates after the person so signing, countersigning and endorsing, or either of them, shall have ceased to be the incumbents of said office or offices.

Appended to each of said bonds there shall be interest coupons so attached that the same may be detached without injury to or mutilation of said bond. The said coupons shall be consecutively numbered and shall bear the lithographed signature of

the State Treasurer who shall be in office on the third day of July, 1929. No interest shall be paid on any of said bonds for such time as may intervene between the date of said bond and the date of sale thereof, unless such accrued interest shall have been by the purchaser of said bond, paid to the State at the time of such sale.

There is hereby appropriated from the general fund of the State treasury such sum annually as will be necessary to defray all expenses that shall be incurred by the State Treasurer in the preparation of said bonds and in the advertising of the sale thereof, as in this section provided. When the bonds authorized by this section to be issued shall have been signed, countersigned, endorsed and sealed as provided herein the State Treasurer shall sell the same in such parcels and numbers not inconsistent with the provisions hereof, as the Governor of the State shall direct to the highest bidder for cash. The Governor of the State shall issue to the State Treasurer such direction immediately after being requested so to do by the California Highway Commission. Such request shall specify the amount of money which in the judgment of said commission shall be required at such time and the Governor of the State shall direct the State Treasurer to sell such number of said bonds as may be required to raise said amount of money and that said bonds shall be sold in consecutive numerical order. The State Treasurer shall not accept any bid which is less than the par value of the bond plus the interest which has accrued thereon between the date of sale and the last preceding interest maturity date. The State Treasurer may at the time and place fixed by him for said sale continue such sale as to the whole or any part of the bonds offered to such time and place as he may at the time of such continuance designate. Before offering any of said bonds for sale, the said Treasurer shall detach therefrom all coupons which have matured or will mature before the date fixed for such sale. The State Treasurer shall give notice of the time and place of sale by publication in two newspapers published in the city and county of San Francisco and in one newspaper published in the city of Oakland, and in one newspaper published in the city of Los Angeles and in one newspaper published in the city of Sacramento once a week for four weeks next preceding the date fixed for such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expenses and cost of such additional notice shall not exceed the sum of five hundred dollars for each sale so advertised.

In the event that any bonds prepared as herein provided can not, in the judgment of said State Highway Finance Board be sold at the time fixed for the sale thereof, or thereafter, said board may withdraw said bonds from sale and direct the State Treasurer to cancel and destroy the same, and may at said time or thereafter, at its option, direct the preparation and sale, as hereinbefore provided, of the same or a different number of bonds, but not to exceed in all the amount herein authorized and at the same or a different rate of interest, but not to exceed six per cent per annum.

All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action; and all expenses that shall be incurred by the State Treasurer in the preparation of bonds herein provided for and in the advertising and sale thereof; and all expenses incurred by any officer in reference thereto shall be paid from the general fund of the State. Nothing in this constitution contained, except as in this section provided, shall be a limitation upon the provisions of this section.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 18 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, and Young—32.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 18 ordered transmitted to the Assembly.

Senate Bill No. 244—An act to amend sections 2 and 22½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved May 21, 1911, and all acts or parts of acts inconsistent here-



with," approved May 28, 1917, as amended, relating to fish and game districts one and four and one-half.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Garrison moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Wagy, Weller, West, and Young—31.

The Secretary announced the absentees.

Time, eleven o'clock and one minute a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

WITHDRAWAL OF SENATE BILL.

Senator Johnson moved that Senate Bill No. 882 be withdrawn from file and re-referred to Committee on Revenue and Taxation.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors.

Amendment read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of Senate constitutional amendment, Senator Lyon moved to refer Senate Constitutional Amendment No. 27 to Senator Pedrotti, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed resolution, strike out all of said line 24 and all of lines 25 and 26, and insert in lieu thereof the words: "counties herein permitted to be made".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Constitutional Amendment No. 27, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDROTTI, Special Committee.

Report read, and on motion of Senator Lyon adopted.

Senate Constitutional Amendment No. 27 ordered to print and re-engrossment.

Senate Bill No. 863—An act to provide for the escheat to the State of California of all moneys collected by any public utility in excess of



the rate fixed by the Railroad Commission or other rate fixing body which shall have remained unclaimed for more than four years after the final determination of the legality of such rates and to provide procedure for the collection and disposition thereof and the filing of reports in respect thereto and to provide penalties for the violation of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 863 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1027—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof of the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardian, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended, by amending section 2 thereof and by adding new sections thereto, to be numbered 2b, 2c and 2d, relating to the formation of such districts and the selection of officers thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 709—An act to amend sections 3465, 3480 and 3480½, chapter 287 of the Statutes of 1923 of the Political Code of the State of California, relating to reclamation districts, and to add thereto a new section 3468 providing for an annual levy or call of assessment to pay warrants of said districts and to add thereto a new section 3494, providing for payment of expenses of county treasurers in proceedings

to collect assessments to pay principal and interest of bonds of said districts and to add thereto a new section 3495, providing for cancellation of bonds and of assessments securing said bonds by mutual agreement between bondholders and holders of title to lands in said districts, and to add thereto a new section 3496, providing for issuance of duplicate bonds and warrants for lost, destroyed, mutilated and defaced bonds and warrants of said district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 244—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1065—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 221—An act to add a new section to be numbered 2a to an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended, relating to the protection of bears.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 867—An act to amend section 628b of the Penal Code, relating to protection of black bass.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1201—An act to amend section 626o of the Penal Code, relating to the shooting of water fowl from scull-boats in Fish and Game District No. 2.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 11, 12, 13, 14, 15 and 16, and insert in lieu thereof the following:

3. Every person who in fish and game district number twelve and those portions of fish and game district number two embraced in that part of the Napa river, which extends from the junction of Mare Island strait and Carquinez strait northwesterly along Mare Island strait, approximately three miles to the Vallejo-Mare Island causeway, and thence in a northerly direction along the channel of Napa river to a point at the southerly end of Edgerly Island, approximately ten miles above the junction of Mare Island strait and Carquinez strait, shoots any kind of a water fowl from a scull boat, which is in open waters, is guilty of misdemeanor.

#### Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 27—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, lines 30 and 31, of the printed bill, after the comma following the word "two", strike out the words "three and four", and insert in lieu thereof the words "two and one-half and three".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, strike out the word "sixteenth", and insert in lieu thereof the word "sixth".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, lines 46 and 47, of the printed bill, strike out the words "sixteenth day of August and the thirtieth day of April", and insert in lieu thereof the following: "sixth day of September and the thirty-first day of May".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 52, of the printed bill, strike out the word "June", and insert in lieu thereof the word "August".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 3, line 24, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 4, line 19, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 5, line 3, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 5, line 9, of the printed bill, strike out the words "or kills", and insert in lieu thereof the following: ", kills or has in possession".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 619—An act to prohibit the manufacture, sale, offering for sale, exposing for sale, possession and use of machine rifles, automatic rifles, machine guns and submachine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, as amended April 1, 1927, strike out the following: "manufacture, sale, offering for sale, exposing for sale".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, as amended April 1, 1927, strike out the following: "and use".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In lines 2 and 3 of the title of the printed bill, as amended April 1, 1927, strike out the following: "automatic rifles".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

In line 7 of the title of the printed bill, as amended April 1, 1927, strike out the period, and insert in lieu thereof a comma and add the following: "and providing a penalty for violation thereof".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1193—An act to amend sections 4, 7 and 10 of an act entitled "An act providing for the improvement, development, or protection of any harbor, bay, inlet or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof," approved June 11, 1915, as amended, relating to surveys, appointment of employees and other appointees, management of work and payment of compensation of commission and claims against the same.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, after the word "power", add the following: "with the consent and approval of the board of supervisors".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of lines 31 to 51, both inclusive, and insert in lieu thereof the following:

SEC. 10. Each member of the harbor commission shall receive a per diem of five dollars for each day actually and necessarily spent in the discharge of his or her duties under this act, together with his or her traveling expenses, upon verified demands by each commissioner at monthly meetings of the board of supervisors. All other expenses that may be incurred shall receive the majority endorsement of the harbor commission before consideration and disposition thereof at regular monthly meetings by the board of supervisors.

Salaries and expenses incurred shall be paid from a fund designated as "harbor commission fund"; said fund shall be created by tax levy in same manner as all other funds by the board of supervisors, but in no instance shall the levy in any one year exceed one per cent on each one hundred dollars of the assessed valuation of the county.



Prior to the raising of funds for any and all work or expenses under this act, the board of supervisors shall have power to incur, permit to accrue, audit, approve and pay any demand, debt, or obligation against the county from the general fund in a sum not to exceed five thousand dollars.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 229—An act to declare certain reclaimed land in the city of Vallejo to be free from certain trusts and restrictions imposed on such land when granted to such city.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 11 of the printed bill, after the word "behind", insert the words "and easterly of".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 13 of the printed bill, after the word "navigation", strike out the words "of fisheries", and insert in lieu thereof the words "and fishery".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 197—An act to provide for the acquisition by the State Department of Finance, upon behalf of the State, by gift or other process, of the Donner Monument and lands contiguous thereto; and for the improvement of the same.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended in the Assembly on March 25, 1927, strike out the words "or other proc-", and the word "ess", in line 3 of the title, and insert in lieu thereof the following: ", devise, grant or other conveyance, ".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 162—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction of said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to bridge and highway districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1023—An act to amend sections 2754, 2755 and 2768 of the Political Code, relative to permanent road divisions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 608—An act to amend section 682 of the Political Code, relative to the powers of the Board of Control.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 623—An act to provide for the organization and government of public park districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, as amended, after the word "hearing", strike out the period, and insert in lieu thereof a semicolon and add the following: "*provided*, that no such petition shall embrace within the boundaries of such proposed public park district, any land or lands lying nearer than one mile to the ocean or any inlet, bay, estuary or arm of the ocean or shall any change be made in the boundaries of such proposed district so as to embrace any such lands."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 42, of the printed bill, as amended, after the word "district", add the following: ", not inconsistent with the provisions of section 1 hereof."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 47, of the printed bill, as amended, after the word "thereof", add the following: ", not inconsistent with the provisions of section 1 hereof."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 9, of the printed bill, as amended, after the word "district", strike out the period, and insert in lieu thereof a semicolon and add the following: "*provided*, that in no case shall the boundaries of such district embrace any territory lying nearer than one mile to the ocean or any inlet, bay, estuary or arm of the ocean."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1120—An act to amend sections 1517, 1518, 1519, 1519a, 1520 and 1521 of the Political Code, relating to State educational officers.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 7, following line 29 of the amended printed bill as amended March 31, 1927, insert the following:

"The state board of education shall have power and it shall be its duty:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 30, of the amended printed bill as amended March 31, 1927, before "(a)" insert the following: "First—".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1156—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violations of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923.

Bill read second time, and ordered on file for third reading.

#### EXCUSED FROM VOTING.

Senator Ingram asked for and was granted unanimous consent to be excused, for reasons stated, from voting on Senate Bill No. 244.

The bill had not received consideration in the committee, and that he did not want the Senate or the author of the bill to think he had any personal motive or interest in the bill.

#### FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Garrison.

The Secretary was directed to call the roll on the final passage of Senate Bill No. 244.

The roll was called, and Senate Bill No. 244 refused passage by the following vote:

AYES—Senators Allen, J. M., Boggs, Christian, Cobb, Fellom, Hollister, Hurley, Inman, Jones, H. C., Jones, Ray; Lyon, Mueller, Nelson, Swing, Wagy, and West—16.

NOES—Senators Allen, N. M., Baker, Breed, Canepa, Chamberlin, Crowley, Evans, Garrison, Gray, Handy, Johnson, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Weller, and Young—20.

#### NOTICE OF MOTION TO RECONSIDER.

Senator Garrison gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 244 was refused passage.

#### MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Breed moved to reconsider the vote whereby Senate Bill No. 846 was passed.

Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors.

#### SENATOR HURLEY IN THE CHAIR.

At one o'clock and twenty-three minutes p.m., Senator Hurley of the Sixteenth District was called to the chair.

#### SENATOR CROWLEY IN THE CHAIR.

At one o'clock and twenty-seven minutes p.m., Senator Crowley of the Twenty-second District was called to the chair.

The question being on the motion to reconsider.

Further consideration of the motion to reconsider the vote whereby Senate Bill No. 846 was passed was postponed until after the noon recess.

RECESS.

At two o'clock p.m., on motion of Senator Breed, the presiding Senator declared the Senate at recess until the hour of three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair. Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1232—An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

LYON, Chairman.

Assembly Bill No. 1232 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 26—Approving four certain amendments to the charter of the city of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of March, 1927:

Also: Assembly Bill No. 40—An act to amend section 3 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without Governor's approval on February 25, 1901, as amended;

Also: Assembly Bill No. 1200—An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

LYON, Chairman.

Assembly Concurrent Resolution No. 26 ordered on file.

Assembly Bills Nos. 40 and 1200 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 195—An act to amend an act entitled "An act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes," approved May 29, 1913, by adding thereto two new sections to be numbered 3 and 4, relating to the manner of entering into such joint construction agreements and authorizing the incurring of an indebtedness therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

LYON, Chairman.

Assembly Bill No. 195 ordered on file for second reading.



## ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Bill No. 1189—An act providing for the propounding and prosecution of a claim by and in the name of the State of California against the government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said government of all moneys heretofore paid illegally into the federal treasury as a direct tax upon property situated in the State of California, providing for the recovery of same, authorizing the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this act, providing for notice to and procedure by claimants of such moneys and fixing a prescription period after which such moneys shall escheat to and become the absolute property of the State of California;

Also: Assembly Joint Resolution No. 10—Relative to memorializing and petitioning the President of the United States and Congress to establish by proper legislation a Bureau or Department of Publicity;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—5; committee vote: Ayes—3; absent—2.

McKINLEY, Vice Chairman.

Assembly Bill No. 1189 ordered on file for second reading.

Assembly Joint Resolution No. 10 ordered on file.

## ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 191—An act to amend section 3817 of the Political Code, relating to delinquent taxes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Assembly Bill No. 191 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 886—An act to amend section 3804 of the Political Code, relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

NELSON, Chairman.

Senate Bill No. 886 ordered on file for second reading.

## SENATOR M'KINLEY IN THE CHAIR.

At three o'clock and twenty minutes p.m., Senator McKinley of the Thirty-eighth District was called to the chair.

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 13, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 18—An act to repeal section 476a and to add a new section to the Penal Code, to be numbered 476b, relating to the drawing and uttering of checks or drafts;

Also: Assembly Bill No. 69—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant;

Also: Assembly Bill No. 622—An act to amend section 1243 of the Penal Code, relating to appeals by defendants and the granting of certificates of probable cause;

Also: Assembly Bill No. 696—An act to add a new section to the Code of Civil Procedure to be numbered 274c, providing for the appointment, qualifications, official oath, duties, certified transcripts and fees of phonographic reporters for municipal courts;

Also: Assembly Bill No. 980—An act to amend section 1724 of the Code of Civil Procedure, relating to the establishment of identity of heirs;

Also: Assembly Bill No. 982—An act to amend section 1699 of the Code of Civil Procedure, relating to jurisdiction of estate after final distribution;

Also: Assembly Bill No. 990—An act to amend sections 1631 and 1633 of the Code of Civil Procedure, relating to accounts of executors and administrators;

Also: Assembly Bill No. 991—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of moneys of estate pending settlement;

Also: Assembly Bill No. 994—An act to amend section 4 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the location of the office and branch offices of the Real Estate Commissioner;

Also: Assembly Bill No. 1137—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 18, 69, 622, 696, 980, 982, 990, 991, 994 and 1137 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the judicial council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bill No. 576 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bill No. 354 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 638—An act to amend sections 4307 and 4022 of the Political Code, relating to counties—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bill No. 638 ordered on file for second reading.

#### ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article IV thereof, relating to State aid to certain physi-

cally handicapped persons—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Assembly Constitutional Amendment No. 31 ordered on file.

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 888—An act to provide for a survey of and works on the Santa Ana River watershed and basin for flood control and making an appropriation therefor;

Also: Senate Bill No. 621—An act making an appropriation to pay the claim of Edward J. Kelly against the State of California;

Also: Senate Bill No. 649—An act making an appropriation to pay the claim of Richard Kittrelle against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 888, 621, and 649 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Concurrent Resolution No. 20—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a commission to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Concurrent Resolution No. 20 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 508—An act appropriating money to pay the claim of Percy E. Towne and Peter A. Breen against the State of California;

Also: Assembly Bill No. 1215—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same;

Also: Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses;

Also: Senate Bill No. 873—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto, and repealing acts inconsistent herewith;

Also: Senate Bill No. 153—An act making an appropriation of \$39,200.25 to pay the claim of Antoinette O'Brien against the State of California, and prescribing the duties of the Controller and the Treasurer of State in relation thereto;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Senate Bills Nos. 508, 417, 873, and 153 ordered on file for second reading.

Assembly Bill No. 1215 ordered on file for second reading.



ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 356—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for fish and game preservation, propagation and protection—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

CHAMBERLIN, Chairman.  
BREED.  
CANEPA.  
CHRISTIAN.  
HANDY.  
HURLEY.  
INGRAM.  
LYON.  
SLATER.  
YOUNG.

Senate Bill No. 356 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Bill No. 885—An act to provide for the appointment of a commission to be known as the Carquinez Straits Bridge Commission to investigate the Carquinez Straits Bridge and any matters connected therewith or with bridges across the Carquinez Straits, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of the existing bridge by the State with a plan for financing its acquisition and the amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the State highway system; or the construction of other bridges across such straits and any other pertinent matters relating to the same problem—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

Senate Bill No. 885 ordered re-referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day sustained the veto by the Governor relative to the following two items of Assembly Bill No. 500—Item No. 1.—I object to the item on page 5 under the heading "Administrative" reading as follows: "For support of Secretary of State two hundred thirty-seven thousand six hundred fifty dollars (\$237,650)" and reduce the amount to two hundred twenty-two thousand six hundred fifty dollars (\$222,650), for the reason that the measure recently passed by the Legislature repealing the corporation license tax act makes possible this reduction in the expenses of the office of the Secretary of State, according to the opinion of that office;

Also: Item No. 2.—I object to the item on page 10 reading "For support of California Highway Commission and State Highway Engineer, forty-one thousand six hundred dollars (\$41,600), payable from Highway Maintenance fund" for the reason that in my opinion ample provision for such expenditures is included in the language of the item of appropriation on page 10 reading "For general administration of California Highway Commission, and maintenance and reconstruction of highways, twenty-seven million one hundred thousand dollars (\$27,100,000), payable from Highway Maintenance fund." It was the intention at the time of my recent message to you suggesting amendments to the budget that this item be eliminated and a corresponding reduction in the budget was reported to you in that message.

ARTHUR A. OHNIMUS, Chief Clerk  
By C. W. BOOTH, Assistant Clerk.



Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act." approved March 22, 1911, as amended—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 263 ordered to unfinished business file.

MOTION TO RECONSIDER—(RESUMED).

Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884, and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 846 was passed lost by the following vote:

AYES—Senators Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Inman, Johnson, Maloney, McKinley, Murphy, Nelson, and Young—13.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Christian, Evans, Gray, Handy, Hollister, Hurley, Ingram, Jones, Ray; Kline, Mueller, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and West—23.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 570—An act to amend section 1609 of the Political Code, relating to persons employed in public school service.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 570 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 76—An act to amend section 4 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of

the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, so as to require the keeping of records of the names and hours worked by female employees in all occupations subject to the provisions of the act, which records shall be accessible at all reasonable hours to the Commissioner of the Bureau of Labor Statistics, his deputies and agents, to whom is delegated the duties of enforcing the provisions of the act, and making proof that any defendant was the manager or superintendent of any place of employment subject to the provisions of the act, at the time any female is alleged to have been employed therein in violation thereof, prima facie evidence that the said defendant employed and suffered and permitted the said female to so work, so as to bring him within the penal provisions of the said act; also making the records required by this act prima facie evidence, sufficient to sustain a conviction, if they show a violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 76 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Tubbs, West, and Young—39.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 942—An act to add a new section to the Political Code, to be numbered 4082, relating to lost or destroyed county war rants.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Weller moved to refer Assembly Bill No. 942, as amended in Senate April 5, 1927, to Senator Young, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 2, line 3, of amended bill, strike out the word "of", and insert in lieu thereof the word "or".

##### AMENDMENT NUMBER TWO.

On page 2, line 4, of amended bill, strike out the word "or", and insert in lieu thereof the word "of".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 942, with instructions to amend, respectfully reports the same back, amended as per instructions.

YOUNG, Special Committee.

Report read, and on motion of Senator Weller adopted.

Bill ordered to print.

Assembly Bill No. 159—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313 and 3314 of said code; to amend sections 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof, consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624a, all relating to sale of goods; to amend section 36 of said code, relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35a, relating to minors, and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 159 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 186—An act to amend the Code of Civil Procedure by adding a new section thereto, relating to the expenses of judges of the superior courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 186 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 422—An act to amend section 1469 of the Code of Civil Procedure, relating to the administration of estate not exceeding \$2,500 in value.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 422 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 493—An act to amend section 1598 of the Code of Civil Procedure, relating to the filing of a petition for executor or administrator to make conveyance or transfer and notice of hearing thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 493 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Nelson, Pedrotti, Slater, Tubbs, Wagy, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 828—An act to amend section 606 of the Civil Code, providing for the organization of corporations for charitable and eleemosynary purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 828 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 981—An act to amend section 1723 of the Code of Civil Procedure, relating to establishment of the fact of death.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 981 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; McKinley, Nelson, Slater, Tubbs, Wagy, Weller, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 983—An act to amend section 1668 of the Code of Civil Procedure, relating to decree to be made after notice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 983 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; McKinley, Murphy, Slater, Swing, Tubbs, Wagy, Weller, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 984—An act to amend section 1373 of the Code of Civil Procedure, relating to setting day for hearing petition for letters of administration and for notice of application therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 984 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Slater, Swing, Wagy, and West—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 985—An act to amend section 1465a of the Code of Civil Procedure, relating to notice of hearing petition and to whom sent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 985 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and West—26.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 986—An act to amend section 1552 of the Code of Civil Procedure, relating to return of proceedings and notice of hearing of return of proceedings after sale of real estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 986 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and West—26.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 743—An act to amend section 4244 of the Political Code, relative to fees and compensation of officers in the counties of the fifteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Kline moved to refer Assembly Bill No. 743, as amended March 18, 1927, to Senator West, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 8 of the printed bill, strike out lines 9 to 15, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 743, with instructions to amend, respectfully reports the same back, amended as per instructions.

WEST, Special Committee.

Report read, and on motion of Senator Kline adopted.

Bill ordered to print.

Assembly Bill No. 194—An act declaring portions of the lands conveyed to the city of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, unavailable for navigation and fishery and excluding such portions from use for navigation, commerce and fishing, and granting such portions of said tidelands to the city of San Diego and county of San Diego for certain county and municipal purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 194 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 449—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 449 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1237—An act to amend section 1928 of the Political Code, relating to the Adjutant General.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1237 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 54—An act authorizing and empowering any city and county, or county, or city operating under a freeholders' charter or otherwise, or any town, or any municipal corporation in the State of California to acquire land and construct and complete improvements thereon necessary and convenient to the maintenance of airports, the flying and landing of aircraft and the maintenance of hangars for storing aircraft; permitting use for said purposes of property owned for park purposes; providing for the incurring of indebtedness and issuing bonds; validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purposes and of the proceedings leading up to the issuance and the proposed issuance of any such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 54 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Maloney, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 386—An act to amend section 28 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, and relating to reassessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 386 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Slater, Wag, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 408—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 408 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wag, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1185—An act to provide for the disposition of fines and forfeitures heretofore collected, in any police court, city justices' court or recorder's court in cities or towns of the fifth and sixth class, but not yet transmitted to the county treasurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1185 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Slater, Wag, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 429—An act to authorize the city of Placerville to execute certain trusts in relation to the lands granted to said city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 429 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wag, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 413—An act to amend section 17 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 413 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H.C., Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wagy, Weller, West; and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 793—An act to amend section 11 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 793 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wagy, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 999—An act to provide that in case the people of the city of Alameda should vote to exclude any of their salt marsh, tide or submerged lands, and thereafter the people of the city of Oakland should vote to annex the same, then the city of Alameda through its proper officials may grant said lands to the city of Oakland.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 999 passed by the following vote:

AYES—Senators, Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Tubbs, Wag, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 133—An act to amend section 2322<sup>x</sup>21 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Johnson moved to refer Assembly Bill No. 133 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "twenty-one", add the following: "two thousand three hundred twenty-two ~~x~~ two".

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, strike out the period, insert in lieu thereof a comma, and add the following: "and second class".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, following line 13, add the following:  
2322<sup>x</sup>2. In counties of the second class, the commissioner shall receive a salary of four thousand eight hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the commissioner the following deputy inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:  
(a) One deputy horticultural commissioner at a salary of three thousand dollars per annum.

(b) Two inspectors at a monthly salary of two hundred dollars per month each during the time actually employed, but the aggregate amount which may be expended in any year for such inspectors shall not exceed four thousand eight hundred dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred seventy-five dollars during the time actually employed and not to exceed one clerk at a monthly salary of one hundred fifty dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerks shall not exceed three thousand nine hundred dollars.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 133, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Special Committee.

Report read, and on motion of Senator Johnson adopted.

Bill ordered to print.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 682—An act to amend sections 2163 and 2171 of the

Political Code, relating to insane persons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GRAY, Chairman.  
GARRISON.  
INMAN.  
PEDROTTI.  
MALONEY.  
CROWLEY.  
RUSH.  
ALLEN, N. M.

Assembly Bill No. 682 ordered on file for second reading.

#### ADJOURNMENT.

At five o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Friday, April 15, 1927.

#### IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, April 15, 1927.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 14, 1927, the further reading was dispensed with, on motion of Senator Pedrotti.

#### LEAVES OF ABSENCE.

Senators Hurley and Christian were, on motion of Senator Breed, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

Senator Taylor was, on motion of Senator Weller, granted leave of absence for this day.

Senator Allen, J. M., was, on motion of Senator Ingram, granted leave of absence for this day.

#### PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Master Richard D. Eaton of Redding, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. A. Sunley Cooper of Los Angeles, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. E. W. Stoddard of Vacaville, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Marcus L. Samuels of San Francisco, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George W. Ashley of Lodi, California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Frank X. Goulet of Los Angeles, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Lorime Wood and Frances Wood of Visalia, California, and Betty Mahoney of Sacramento.

#### COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

#### CALIFORNIA LEGISLATURE.

SENATE, April 15, 1927.

*Hon. Buron R. Fitts, Lieutenant Governor.*

MY DEAR GOVERNOR FITTS: In this letter it is not necessary to more than refer to the fact of the auto accident which happened to me on Thursday last at Eleventh and L, as a result of which I am informed by my physicians that I am out of commission for the balance of the session. I therefore respectfully apply for an indefinite leave of absence.

As a matter of record I wish to state that I passed one car, and as I did so was struck by another car which was, in violation of the law, endeavoring to pass the first car at intersection. I did not see the second car until it struck me. If the driver had remained in the rear of the first car, as the law provides, the accident would not have occurred. The law is very explicit on the point of passing at intersections but is being violated very much in all cities. It is impossible for a pedestrian to see a second car which is passing the first car at intersection, and that was the reason for enactment of the law. I wish to give the driver credit for stopping his car so quickly after he struck me. Otherwise, he would have passed over me. As it was, I was greatly shocked and unconscious when taken to the Emergency Hospital, but later transferred to the Sutter Hospital, where my physicians reported my right arm broken and right hip fractured. My left arm also is injured, but not severely. It will probably be weeks before I regain the use of my right arm, and it will be necessary to put my right hip in plaster cast for several months, so that it will be necessary for me to return to my home on a stretcher. If the contingent fund will bear the expense I will be very happy to have a committee of Senators accompany me to my home. I will thank you to have this letter read to the Senators, and placed in the Journal as explanation of my absence for the remainder of this session of the present Legislature.

I can not express in words my appreciation of the many telegrams, letters, flowers, and personal calls I have received, although physicians say it is necessary to deny visitors until I have recovered from the shock.

There is not one Senator on the floor with whom I have been associated that I could not take by the hand and call my friend. This fellowship has been one of the bright spots of my life, and I shall always cherish the comradeships formed in the Senate of California, where I can honestly say that I believe the members have always tried to render the best service possible to the State of California. I wish also to assure you, Mr. President, and the officers and clerical force of the Senate, and members of the press, that I appreciate the very many courtesies.

You will understand that this letter is dictated under difficulties at the hospital where I am suffering as a result of the accident.

I do not forget the kindness of Assemblyman Harry Lyons, and the stranger who furnished the auto to convey me to the Emergency Hospital; and also will always remember the faithfulness of Assemblyman Willis Baum and Assemblyman Sewell, who accompanied me from the Emergency to the Sutter Hospital. If all goes well and present progress continues, I may be able to be moved some day next week.



Sincerely regretting that I must part under such circumstances from so many valued friends, I am, with kind personal regards to all,

Sincerely yours,

CADDET TAYLOR.

State Senator, Thirty-third Senatorial District.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1006—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Assembly Bill No. 1135—An act to amend section 57 and to repeal section 85 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the disposition of funds;

Also: Assembly Bill No. 598—An act to add a new section to be numbered 383a to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "kosher" and providing penalties for the violation thereof;

Also: Assembly Bill No. 306—An act to be known as the "Pure Milk Law of California," to prevent the sale of impure and unwholesome milk; to provide for milk scoring contests; to classify and grade milk; to provide rules and regulations therefor, and to empower cities, counties and groups of cities and counties to establish milk inspection service; to authorize the Department of Agriculture of the State of California to approve milk inspection service; to provide for the payment of a fee to defray the expenses of such approved milk inspection service; to provide for the examination, testing, branding and exclusion of tuberculous cattle; to prescribe penalties for violation of the provisions hereof; to repeal an act known as the "Pure Milk Law," approved June 15, 1923, as amended, and all acts or parts of acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 114—An act to create a flood control district to be called "Orange County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof;

Also: Assembly Bill No. 544—An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection, custody and disbursement of taxes, for such purpose, and to create a board of police commissioners.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 141—An act to add a new section to the Political Code, to be numbered 4257a, relating to the compensation of the surveyor, his deputy and surveying crews in counties of the twenty-eighth class;

Also: Assembly Bill No. 181—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the sixth class;

Also: Assembly Bill No. 534—An act to amend section 1599 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship;

Also: Assembly Bill No. 603—An act to amend section 4 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of

Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to vital statistics and the duties of local registrars in connection therewith;

Also: Assembly Bill No. 716—An act to amend section 4241 of the Political Code, relating to salaries of officers and employees of counties of the twelfth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 141 and 181 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 534 and 603 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 716 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following Assembly Bill No. 751—An act to amend section 1 of an act entitled "An act authorizing the State Director of Institutions with the approval of the State Board of Control to grant to the county of Los Angeles for highway and road purposes the use of certain lands belonging to the State of California situated in Los Angeles county," approved May 18, 1925;

Also: Assembly Bill No. 1024—An act to add a new section to the Political Code, to be numbered 4264b, relating to highways and the highway tax in counties of the thirty-fifth class;

Also: Assembly Bill No. 1025—An act to add a new section to the Political Code, to be numbered 2655a, relating to records of county road districts;

Also: Assembly Bill No. 1212—An act to amend section 6 of an act entitled "An act to authorize the location of the town site of Crescent City," approved February 12, 1859, as amended or supplemented, relating to the sale, exchange or gift of unclaimed lands by the common council of Crescent City;

Also: Assembly Bill No. 1246—An act authorizing the State Department of Finance, out of any moneys appropriated therefor, to purchase warrants of the Sacramento River outlet project No. 2 of the Sacramento and San Joaquin Drainage District, and prescribing the duties of the State Reclamation Board in the use of the proceeds of such sale of said warrants;

Also: Assembly Bill No. 1254—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 751 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 1024 and 1025 read first time, and referred to Committee on County Government.

Assembly Bill No. 1212 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1246 read first time, and referred to Committee on Finance.

Assembly Bill No. 1254 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1257—An act to add a new section to the Political Code, to be numbered 4272a, relating to the compensation and expenses of the surveyor of counties of the forty-third class;

Also: Assembly Bill No. 1041—An act to amend section 4 of an act entitled "An act to provide for bridges across navigable streams, and across estuaries, fords, swamps, or arms of bays that may be outside of the line of navigable waters," approved March 14, 1881, relating to the notification of the State Engineer.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 1257 read first time, and referred to Committee on County Government.

Assembly Bill No. 1041 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 716—An act to amend section 529 of the Civil Code, relating to bridge, ferry, wharf, chute and pier corporations;

Also: Senate Bill No. 814—An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof and repealing all inconsistent acts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 716 and 814 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 26—Relative to the observance of American Forest Week, April 24 to April 30, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Concurrent Resolution No. 26 ordered to enrollment.

#### REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 486—An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura County of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor; to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof—reports that it has met a like committee of the Assembly, consisting of Assemblymen Duval, Finley and Walters, and that the Committee on Free Conference agreed upon and recommends that the Assembly concur in the Senate amendments, and that Assembly Bill No. 486 be further amended as follows:

#### AMENDMENT NUMBER ONE.

On page 6, line 6, of the printed bill, as amended March 31, 1927, following the word "the", strike out the words "place and"; and following the word "date", in the same line, strike out the word "at", and insert in lieu thereof the word "on".

#### AMENDMENT NUMBER TWO.

On page 6, line 14, of the printed bill, as amended March 31, 1927, following the word "officers", insert the following: "The principal and interest of said bonds shall be payable at the office of the county treasurer of Ventura county out of the special harbor district bond fund hereinafter created".



## AMENDMENT NUMBER THREE.

On page 8, line 4, of the printed bill, as amended March 31, 1927, following the word "levy", insert a period, and in the same line following the word "levy", strike out the word "and", and in the same line substitute a capital "I" for the small "i" in the word "if".

## AMENDMENT NUMBER FOUR.

On page 8, line 15, of the printed bill, as amended March 31, 1927, immediately following the word "assessment", strike out the words "Said taxes", and insert in lieu thereof the words "All such taxes".

## AMENDMENT NUMBER FIVE.

On page 8, line 20, of the printed bill, as amended March 31, 1927, following the word "determine", strike out the words "the amount of bonds theretofore", and in line 21 strike out the words "issued and then outstanding, and separately".

## AMENDMENT NUMBER SIX.

On page 8, line 36, of the printed bill, as amended March 31, 1927, following the word "purposes", strike out the words "If in any year it shall appear", and in line 37 strike out the words "from said resolution that any portion of"; and in line 37 substitute a capital "S" for the small "s" in the word "said"; and in the said line 37 strike out the word "was" at the end of said line, and insert in lieu thereof the word "so".

## AMENDMENT NUMBER SEVEN.

On page 8, line 38, of the printed bill, as amended March 31, 1927, strike out the words "such portion", at the end of said line.

## AMENDMENT NUMBER EIGHT.

On page 8 of the printed bill, as amended March 31, 1927, strike out all of lines 46 and 47 and the words "audited by the commission" in line 48; and in line 48, following the word "and", insert the words "shall be"; and in said line 48, following the word "used", insert the words "by the county treasurer".

## AMENDMENT NUMBER NINE.

On page 11 of the printed bill, as amended March 31, 1927, strike out all of section 25.

## AMENDMENT NUMBER TEN.

On page 11, line 18, of the printed bill, as amended March 31, 1927, strike out the figures "26", and insert in lieu thereof the figures "25"; in line 25 strike out the figures "27", and insert in lieu thereof the figures "26"; in line 36 strike out the figures "28", and insert in lieu thereof the figures "27"; and in line 49 strike out the figures "29" and insert in lieu thereof the figures "28".

## AMENDMENT NUMBER ELEVEN.

On page 12, line 5, of the printed bill, as amended March 31, 1927, strike out the figures "30", and insert in lieu thereof the figures "29"; in line 11 strike out the figures "31", and insert in lieu thereof the figures "30"; in line 14 strike out the figures "32", and insert in lieu thereof the figures "31"; and in line 18 strike out the figures "33", and insert in lieu thereof the figures "32".

HOLLISTER,  
CROWLEY,  
KLINE,

Senate Committee on Free Conference.

DUVAL,  
FINLEY,  
WALTERS,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Evans, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Waggy, Weller, and West—23.

NOES—None.

Assembly Bill No. 846 and Committee on Free Conference report ordered transmitted to the Assembly.



## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 190—An act to amend section 924 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary and expenses of the county librarian in counties of the fourth class;

Also: Assembly Bill No. 252—An act to amend section 19256 of the "Juvenile Court Law" approved June 5, 1915, as amended, said section relating to the salaries of probation officers of counties of the fifty-sixth class;

Also: Assembly Bill No. 584—An act to amend section 4282 of the Political Code, relating to salaries of officers in counties of the fifty-third class;

Also: Assembly Bill No. 585—An act to amend section 4276 of the Political Code, relating to the salaries and fees of officials in counties of the forty-seventh class;

Also: Assembly Bill No. 764—An act to amend section 4258 of the Political Code, relating to the salaries of county officers in counties of the twenty-ninth class;

Also: Assembly Bill No. 1219—An act to repeal an act entitled "An act for the support of certain cemeteries in Tehama County," approved April 1, 1872, and to provide for the disposition of moneys and funds heretofore collected under the provisions of said act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HANDY, Vice Chairman.

Assembly Bills Nos. 190, 252, 584, 585, 764 and 1219 ordered on file for second reading.

## RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That Wellington Bowser, Assistant Journal Clerk at \$5.00 per day, be and he is hereby appointed to the position of Journal Clerk at \$7.00 per day.

Resolution read.

Senator Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Evans, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Wagy, Weller, West, and Young—27.

NOES—None.

## COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

STATE OF IDAHO  
DEPARTMENT OF STATE.

I, Fred E. Lukens, Secretary of State of the state of Idaho, and custodian of the seal of said state, do hereby certify that the attached is a full, true and complete transcript of Senate Joint Resolution No. 2, enacted by the nineteenth session of the legislature of the state of Idaho and filed in this office the seventh day of March, 1927.

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the state of Idaho.

Done at Boise, Idaho, the capital of Idaho, this thirty-first day of March, A. D. 1927.

[SEAL]

FRED E. LUKENS, Secretary of State.

Senate Joint Resolution No. 2—A joint resolution proposing an application to Congress to call a constitutional convention for the purpose of amending the constitution of the United States to make subject to taxation all evidence of indebtedness of the United States, the several states, municipal corporations, counties, and all taxing subdivisions and taxing units thereof, together with the interest on and income from such evidence of indebtedness.

Be it resolved by the Legislature of the state of Idaho:

Section A. That with the concurrence of the legislatures of two-thirds of the several states of the United States, application is hereby made to Congress to call a constitutional convention for the purpose of proposing an amendment to the constitution of the United States; said proposed amendment to read as follows:

"Amendment No. 20.

Section 1. All evidence of indebtedness of the United States, the several states, municipal corporations, counties, and all taxing subdivisions and taxing units thereof, together with interest on and income derived from such evidence of indebtedness, shall be subject to taxation by the United States, the several states, municipal corporations, counties, and all taxing subdivisions and taxing units thereof.

Sec. 2. The Congress and the several states shall have power to enforce this article by appropriate legislation."

Sec. B. The Secretary of State is hereby directed to send duly authenticated copies of this resolution to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, and to the presiding officers of each branch of the legislature of the several states of the United States.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 886—An act to amend section 3804 of the Political Code, relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the judicial council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

Strike out lines 1 to 18, inclusive, on page 1 of the printed bill, and insert in lieu thereof the following:

SECTION 1. The extra compensation of judges and justices of the peace sitting in superior courts, under assignments thereto by the chairman of the judicial council under the provisions of section 1a of article VI of the constitution of this state, and, in addition, in those cases where such judges and justices are assigned to courts in a county other than that in which they regularly sit, the necessary expenses for travel, board and lodging, incurred by them in the discharge of such assignments, shall be paid in the following manner; the state shall pay the same proportion of such extra compensation and such expense as the proportion which it pays toward the salaries of the superior court judges of the county to whose superior court such judges or justices are assigned, and the remainder of such extra compensation and such expenses shall be paid by the said county. The county's payments under this section shall be made from its general fund.

SEC. 2. The extra compensation of judges and justices of the peace sitting in courts of lower jurisdiction than superior courts, under such assignments, shall be paid by the city, city and county, or county which by law is charged with the payment of the compensation of the judge or judges of the court to which the assignment is made. In those cases where a judge or justice is assigned to such a court in a county other than that in which he regularly sits, the necessary expenses for travel, board and lodging incurred in the discharge of his assignment shall also be paid by such city, city and county, or county. The payments of a city, city and county, or county under this section shall be made from its general fund.

SEC. 3. The extra compensation of justices, judges and justices of the peace sitting in the supreme court and district courts of appeal, under such assignments, together with the necessary expenses for travel, board and lodging incurred by them in the discharge of such assignments, shall be paid by the state.

#### Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

In line 3 of the printed bill, after the figures "1716", strike out all of the remaining portion of the bill, and insert in lieu thereof the following: "In all actions for damages for injuries to person or property caused by livestock on a public highway, road, street or alley, whether within or without the incorporated limits of any city or town, which at the time of the injury were unattended, whether loose or tethered, the plaintiff shall be entitled to recover all damages proximately caused thereby, whether the same could have been anticipated or not, except as hereinafter stated, unless the owner or person controlling the possession of such livestock shall satisfactorily establish:

(a) That such livestock were on the public highway, road, street or alley through no fault or negligence of his own or of his agents, or;

(b) That the damage was caused by the contributing negligence of the plaintiff, or;

(c) That the intervening wrongful act, fault or negligence of some third party."

#### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 888—An act to provide for a survey of the works on the Santa Ana River watershed and basin for flood control, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 621—An act making an appropriation to pay the claim of Edward J. Kelly against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 649—An act making an appropriation to pay the claim of Richard Kittrelle against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 508—An act appropriating money to pay the claim of Percy E. Towne and Peter A. Breen against the State of California.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

## AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "five thousand and ten dollars", and insert in lieu thereof the words "four thousand dollars".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, as amended, strike out the words "eight thousand".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, as amended, strike out the words "four thousand".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 873—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equaton, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto, and repealing acts inconsistent herewith.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following :

An act to provide for the impounding and utilization of the waters of the American river for flood control, river flow control and equaton, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the state department of finance to acquire for the state property useful in connection therewith; defining the powers and duties of state officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the state for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject; and repealing acts inconsistent herewith.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, lines 1 to 23, inclusive, of the printed bill, strike out all of said lines 1 to 23, inclusive.

Amendment adopted.



## AMENDMENT NUMBER THREE.

On page 2, lines 1 to 52, inclusive, of the printed bill, strike out all of said lines 1 to 52, inclusive.

## Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3, lines 1 to 34, strike out all of said lines 1 to 34, inclusive, and insert in lieu thereof the following:

SECTION 1. It is the purpose of this act to provide for the development of a unit in a general program looking towards the conservation, development, utilization, and regulation of the water resources of the state for the purposes of flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, and other public uses.

SEC. 2. The state department of finance is hereby empowered to acquire for the State of California land determined by the state engineer to be necessary for the construction, operation and maintenance of a dam on the American river at a site to be selected by the state engineer upon and adjoining the property of Folsom Prison which dam may be constructed to create a reservoir to impound and utilize the waters of the river for the purposes of flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses.

SEC. 3. The state department of finance is further empowered, in its discretion, to lease for a good and proper consideration to any one or more private persons, firms or corporations, or to any political subdivision or subdivisions of the state, land now owned by the state as a part of Folsom Prison property, and other lands that may be hereafter acquired, or any part of said land or lands, as the site for the construction of the dam mentioned or described in section 2 of this act, also for storage area, for the purpose of constructing, operating and maintaining said dam as a part of a reservoir and its necessary complementary works for impounding the waters of said American river and of a capacity and construction adequate, as determined by the state engineer or other expert advisor that shall be empowered by the state department of finance so to determine, to efficiently, economically and safely carry out the purpose or purposes of such reservoir as set out in sections 1 and 2 of this act: *provided*, that no such lease or leases shall be executed except upon the condition that the State of California shall at the time of such execution or prior thereto acquire satisfactory title in fee simple to all of the lands which may constitute the whole of the site of said dam.

SEC. 4. Any lease executed under the authority of this act shall be for a period not to exceed fifty years, and shall be for such consideration and upon such conditions as may be determined by the state department of finance: *provided, however*, that in addition to any other provisions such lease shall contain in substance the following:

(a) The lessee or lessees shall acquire within a period of time specified in the lease such other land as may be necessary to complete said reservoir and its complementary works as may be determined by the state department of finance as necessary for the purpose of said reservoir and its complementary works hereinabove stated in this act. The plans and specifications for such works and their construction, operation and maintenance shall be subject to the approval of the state officers authorized by law to approve and supervise such works and their operation; *provided*, that the final approval of the adequacy of said reservoir and works for said purposes shall rest with the state department of finance. The lessee or lessees shall undertake to operate said works efficiently, economically, and continuously for and during the period of the lease in conformity with the provisions thereof and with the laws of the state. Said lease shall contain such appropriate provisions for termination, forfeiture and possession, in the event of noncompliance by the lessee with the terms thereof, as may be deemed advisable by the state department of finance for the proper and necessary protection of the state. Said lessee or lessees shall not sell, transfer, or assign such lease or any rights or privileges thereunder except as therein provided;

(b) That the production, generation, transmission, delivery or furnishing of electricity for light, heat or power and the diversion, development, storage, supply and distribution, sale or furnishing of water for irrigation, municipal, domestic or other beneficial use, through or incident to the use of said dam, reservoir, or complementary works, at wholesale or retail, shall be subject to regulation by the railroad commission of the State of California as to service and rates and in all other respects as to the furnishing of similar service or the delivery of a similar commodity by a privately owned public utility;

(c) That the works and improvements constructed on said leased lands and other property useful in connection with said project, or such of said works, improvements or property as may be specified in said lease, may be acquired by the State of California or any of said political subdivisions at such time, in such manner, for such

compensation, and subject to such conditions as may be specified in said lease. Said lease, in the discretion of the state department of finance, may provide for the operation of said works and property by the lessee after the termination of said lease, pending the acquisition of such works, improvements or property, or any thereof, by the state or said political subdivisions.

SEC. 5. It shall be the duty of the state engineer and other state officers to render expert assistance to the state department of finance in the determination of questions of an engineering or other nature.

SEC. 6. The term political subdivision, as used in this act, is hereby defined to mean and include any municipal corporation, city, county, city and county, public board, municipal utility district, public utility district, irrigation district, water district, flood control district, reclamation district, lighting district or other public corporation or public quasi corporation having authority to contract for the purchase, sale or use of water, water power or electric energy, but shall not include any privately owned public utility.

SEC. 7. Any lease entered into under the powers conferred by this act shall be executed within one year from the date upon which this act shall take effect.

SEC. 8. An act entitled "An act authorizing the state board of prison directors to enter into a contract for the improvement and extension of the system for the supplying of water and electricity to the State Prison at Folsom without cost to the state," approved April 13, 1925, is hereby repealed.

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 153—An act making an appropriation of \$39,200.25 to pay the claim of Antoinette O'Brien against the State of California, and prescribing the duties of the Controller and the Treasurer of State in relation thereto.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, strike out the following words: "thirty-nine thousand two hundred dollars and twenty-five cents", and substitute in lieu thereof the words "fifteen hundred dollars".

### Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 17 to 19, inclusive (all of section 3).

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 356—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for fish and game preservation, propagation and protection.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, following the word "killed", insert the following: "and to provide for the transportation of lawfully killed deer from an open district into a closed district".

### Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and providing a penalty for violation."

## Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive; on page 2 of the printed bill, strike out all of lines 1 to 51, inclusive, and on page 3 of the printed bill, strike out all of lines 1 to 26, inclusive, and insert in lieu thereof the following:

SECTION 1. Every person who in the State of California hunts, pursues or kills any deer without first procuring a duplicate license tag therefor as provided in this act is guilty of a misdemeanor.

SEC. 2. Duplicate license tags granting the privilege to hunt, pursue and kill deer shall be issued and delivered to any person holding a hunting license, for the current license year, upon application by such person in the form herein provided, by the fish and game commission, or their agents, and upon the payment of one dollar by such applicant. Said license shall be prepared by the fish and game commission of suitable size in the form of a duplicate tag and have printed or stamped thereon the words "Deer Hunting License Tag No.-----, State of California. Expires December 31, 19\_\_\_\_, to accompany Hunting License No. \_\_\_\_" with said tag number and appropriate year written or printed thereon together with the other matters and things provided in section 3 hereof; and said fish and game commission shall account to the state controller every three months beginning with the first day of July of each year for all tags sold and on hand.

SEC. 3. All duplicate license tags issued as herein provided shall be valid authority for the person to whom issued to hunt, pursue and kill deer during the open season therefor and in such numbers as may be allowed by law. Such duplicate license tag or tags shall continue in force until the licensee shall have killed the number of deer allowed by law to be killed in the open season therefor by any one person of this state; *provided*, such duplicate tags shall be void from and after the date of expiration written or printed thereon. Such licensee shall carry said duplicate license tag at any and all times while hunting deer and upon the killing of any deer said licensee shall immediately write the place, date and time of day of such killing and sign his name on said license tag and attach the original of said license tag to the horns of such deer, and keep the same attached thereto during the open season and for a period of ten days next succeeding the close of the open season; and shall write the place, date, and time of day of such killing and sign his name and address on the duplicate of said license tag and mail the same immediately to the fish and game commission; and shall exhibit upon demand any deer or parts thereof that may be in his possession, or any duplicate license tag or tags obtained as herein provided, to any officer authorized to enforce the fish and game laws of this state or any peace officer of this state.

SEC. 4. Every person applying for and securing a license tag or tags as herein provided shall exhibit his hunting license and furnish to the fish and game commission, or agent appointed by the fish and game commission, his name, resident address, together with a written description of himself by age, weight, nationality and color of eyes and hair, and said application shall set forth the date of issuance and the number of the license tag or tags issued to such person, and the number of his hunting license. The person issuing any license tag or tags as herein provided shall write his name thereon together with the place and date of issuance, and shall write the number of such duplicate license tag or tags, so issued, on the hunting license of the applicant.

SEC. 5. Any one person holding a hunting license, for the current license year shall be entitled upon compliance with the provisions of this act to receive only one duplicate tag for each deer allowed to be killed in the open season under the laws of this state, except upon affidavit by the applicant that a duplicate tag so issued has been lost or destroyed and then only upon payment of the original fee; *provided*, that no duplicate license tag or tags issued as herein provided shall be mutilated, defaced, changed or altered for the purpose of evading the provisions of this act, or transferred to another person, or used by any person other than the one to whom it was issued.

SEC. 6. Every person who makes any false statement as to any of the facts required by this act for the purpose of obtaining a duplicate license tag or tags, and every person violating any of the provisions of this act shall be guilty of a misdemeanor; and, upon conviction, shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, or by imprisonment in the county jail of the county in which the conviction shall be had of not less than twenty-five days, nor more than one hundred fifty days, or by both such fine and imprisonment, and shall forfeit such duplicate license tag or tags as may have been obtained, and no new license tag or tags shall be issued to such person for the remainder of the license year.

SEC. 7. All moneys collected from the sale of license tags, as provided herein, and all fines and forfeitures imposed and collected for the violation of any of the provisions of this act, shall be paid into the state treasury to the credit of the fish and game preservation fund.



SEC. 8. Any person legally killing a deer in this state may transport said deer into a closed district; *provided*, he shall, before transporting such deer, have the tag herein provided for countersigned by a regular salaried deputy fish and game commissioner or by an officer authorized to administer oaths, and if such officer has an official seal such tag shall, in addition, bear the imprint of such seal.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1125—An act to amend section 602*b* of the Political Code, relating to compensation insurance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1068—An act to amend section 690 of the Code of Civil Procedure, relating to the exemption of life insurance benefits from execution or attachment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1232—An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State and to charge a fee or fees therefor or to lease or grant franchise in real property for such purpose and to acquire, construct, and maintain land and buildings for such purpose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 40—An act to amend section 3 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without Governor's approval on February 25, 1901, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1200—An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 195—An act to amend an act entitled "An act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes," approved May 29, 1913, by adding thereto two new sections to be numbered 3 and 4.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 9 of the title of the printed bill, as amended April 5, 1927, strike out the word and period "therefor," and insert in lieu thereof the following: "for the purpose of constructing any such building."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.



Assembly Bill No. 1189—An act providing for the propounding and prosecution of a claim by and in the name of the State of California against the government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said government of all moneys heretofore paid illegally into the federal treasury as a direct tax upon property situated in the State of California, providing for the recovery of same, authorizing the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this act, providing for notice to and procedure by claimants of such moneys and fixing a prescription period after which such moneys shall escheat to and become the absolute property of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 191—An act to amend section 3817 of the Political Code, relating to delinquent taxes.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended March 7, 1927, strike out the title and insert in lieu thereof the following:

An act to amend sections three thousand seven hundred forty-six and three thousand seven hundred fifty-six of the Political Code, relating to taxes

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended March 7, 1927, strike out lines 1 to 27, inclusive; also strike out all of page 2, and insert in lieu thereof the following:

SECTION 1. Section 3746 of the Political Code is hereby amended to read as follows:

3746. On or before the third Monday in October, the tax collector must publish a notice specifying:

1. That the taxes on all personal property secured by real property, and one-half of the taxes on all real property will be due and payable on the third Monday in October, and will be delinquent on the first Monday in December next thereafter, at five o'clock p.m., and that unless paid prior thereto ten per cent will be added to the amount thereof, and that if said one-half be not paid before the last Monday in April next, at five o'clock p.m., an additional five per cent will be added thereto. That the remaining one-half of the taxes on all real property will be payable on and after the second Monday in January next, and will be delinquent on the last Monday in April, next thereafter, at five o'clock p.m., and that unless paid prior thereto, five per cent will be added to the amount thereof.

2. That all taxes may be paid at the time the first installment, as herein provided, is due and payable.

3. The times and places at which payment of taxes may be made.

SEC. 2. Section 3756 of the Political Code is hereby amended to read as follows:

3756. On the first Monday of December of each year, at five o'clock p.m., all taxes then unpaid, except the last installment of real property taxes, are delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an additional ten per cent thereon; *provided*, that if they be not paid before the last Monday in April next succeeding, at five o'clock p.m., he shall collect an additional five per cent thereon. On the last Monday in April of each year, at five o'clock p.m., all the unpaid portion of the remaining one-half of the taxes on all real property is delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an additional five per cent thereon; *provided*, that the entire tax on any real property may be paid at the time the first installment, as above provided, is due and payable; *and provided, further*, that the taxes on all personal property unsecured by real property shall be due and payable immediately after the assessment of said personal property is made.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 18—An act to add a new section to the Penal Code, to be numbered 476*b*, relating to the drawing and uttering of checks or drafts.

AMENDMENT FROM THE FLOOR.

During second reading of the bill, the following amendment was offered and its adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, strike out the word "than", and insert in lieu thereof the word "then".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 69—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 622—An act to amend section 1243 of the Penal Code, relating to appeals by defendants and the granting of certificates of probable cause.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 696—An act to add a new section to the Code of Civil Procedure, to be numbered 278*c*, providing for the appointment, qualifications, official oath, duties, certified transcripts and fees of phonographic reporters for municipal courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 980—An act to amend section 1724 of the Code of Civil Procedure, relating to the establishment of identity of heirs.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 982—An act to amend section 1699 of the Code of Civil Procedure, relating to jurisdiction of estate after final distribution.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 990—An act to amend section 1633 of the Code of Civil Procedure, relating to settlement of account.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 991—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of moneys of estate pending settlement.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 994—An act to amend section 12 of the act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor," approved June 1, 1917.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1137—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, as amended, strike out the following: "and four thousand twenty-two".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 4, of the title of the printed bill, as amended, strike out the word and period "counties.", and insert in lieu thereof the following: "county charges."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, as amended March 28, 1927, after the word and period "county.", add the following: "The board of supervisors may, in its discretion, authorize the payment of expenses incurred, by county authorities, for temporary, emergency, or extended care or treatment of indigent patients of such county, by local hospitals."

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2, lines 9 and 10, of the printed bill, as amended, strike out the following: "and their deputies".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended, strike out lines 28 to 52, both inclusive, and strike out all of page 3 of the printed bill, as amended.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1215—An act to authorize the Attorney General, as guardian of the Indians of California, to bring suit against the United States in the Court of Claims in the event that the Congress of the United States authorize the same.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Beginning with the comma following the word "general", in the first line of the title of the printed bill, strike out down to and including the word "claims", in the third line of said title, and insert in lieu thereof the following: "to bring suit against the United States in the court of claims in behalf of the Indians of the State of California in the event that the congress of the United States authorizes the same."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 3 to 11, inclusive, and insert in lieu thereof the following: "attorney general of this state to institute a suit or suits in the court of claims in behalf of the Indians of the State of California,

the attorney general is hereby authorized with the approval of the governor of this state to cause suit or suits to be instituted and to employ special counsel to assist in the prosecution of such suit or suits and to pay all necessary expenses incident thereto from moneys appropriated to the attorney general; *provided*, that the congressional authority therefor shall provide that in the event the court shall render judgment against the United States the State of California shall be reimbursed for all necessary costs and expenses incurred by said state; *provided*, that no reimbursement shall be made to the State of California for the services rendered by its attorney general in person."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading

Assembly Bill No. 682—An act to amend section 2168 of the Political Code, relating to insane persons.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, and approved May 23, 1925.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and Young—29.

NOES—Senators Chamberlin, Inman, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 518 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—Senators Chamberlin, Inman, and Mueller—3.

Title read and approved.

Bill ordered transmitted to the Assembly.



Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 713 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and, or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 610 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 466—An act to amend section 2 of an act entitled "An act to regulate the issuance of licenses for resale to hunters and 'anglers'," approved May 20, 1915, as amended.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 466 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray, Kline, Maloney, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof.

Bill read third time.

POINT OF ORDER.

Senator Fellom raised the point of order that it was out of order to discuss more than one bill at a time.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order not well taken.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 412 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Garrison moved to reconsider the vote whereby Senate Bill No. 244 was refused passage.

POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Garrison, further consideration of the motion to reconsider the vote whereby Senate Bill No. 244 was refused passage was continued until the next legislative day.

Senate Bill No. 413—An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury.

POINT OF ORDER.

Senator Fellom raised the point of order that the Senate was not complying with section 15, article IV of the constitution in reading each bill at length.

The President directed the Secretary to read the bill.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 413 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 366—An act to amend section 135 of the Penal Code, relating to forfeiture of bail bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 366 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 365 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, providing penalties and making an appropriation therefor.

Bill read third time.

#### PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Weller—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 807 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 569—An act to provide for the separation of crossings of highways and steam and electric railways in the State of California, providing that certain funds shall be devoted to said purposes to be expended by the California Highway Commission, subject to certain orders of the State Railroad Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 569 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 689 passed by the following vote:

AYES—Senators Allen, N. M., Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 822—An act to provide for the creation of a commission for the study of the problem of public education beyond the elementary grade in California, and providing an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 822 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State



of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 315 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 152 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 84—An act appropriating money to pay the claim of the cashier of the Board of State Harbor Commissioners of San Francisco against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 84 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 439—An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State Park System; to establish and define the State Park System; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 439 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying on of this survey, and repealing an act entitled "An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act." approved May 29, 1923.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 440 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300) for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

MURPHY,  
MALONEY.

Members of Committee on Contingent Expenses.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and Young—27.

NOES—None.

### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1178—An act to amend an act entitled “An act to provide for the formation, management and dissolution of county waterworks districts: for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof,” approved June 13, 1913, as amended, by amending sections 1, 2 and 5 thereof, and by adding three new sections thereto, to be numbered 8½, 8¾ and 13½, providing for testing the validity of bonds, the issuance of additional bonds, and making applicable the Improvement Act of 1911 for the construction of the work and acquiring property therefor.

Bill read third time.

### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Swing moved to refer Assembly Bill No. 1178 as amended in Senate April 13, 1927, to Senator Fellom, as a Special Committee of One, to amend as follows:

### AMENDMENT NUMBER ONE.

That the title of said printed bill be amended by striking out in line 12 thereof the words “and making applicable the”, and in line 13 thereof the words “improvement act of 1911 for the construction of the”, and by inserting in lieu thereof the words “the adding new territory to water works districts and the ordering and contracting for”.

Motion carried.

### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1178, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print.

Assembly Bill No. 687—An act to amend sections 4, 6, 7 and 8 of an act entitled “An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans’ Welfare Board in respect thereto and making an appropriation therefor,” approved May 30, 1921, as amended, relating to the powers and duties of the Veterans’ Welfare Board.

Bill read third time.

### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 687, as amended in the Senate April 13, 1927, to Senator Waggy, as a Special Committee of One, to amend as follows:

### AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, as amended, after the word “act”, strike out the remainder of line 18 and strike out all of lines 19 to 23, inclusive.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 687, with instructions to amend, respectfully reports the same back, amended as per instructions.

WAGY, Special Committee.

Report read, and on motion of Senator McKinley adopted.  
Bill ordered to print.

## RECESS.

At twelve o'clock m., on motion of Senator Breed, the President declared the Senate at recess until the hour of three o'clock p.m.

## RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Young:

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by adding two new sections to be known as sections 36½ and 55½, relating to authorization to the State Compensation Insurance Fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshormen's and Harbor Workers' Compensation Act.

Request referred to Committee on Rules.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 337—An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act approved June 16, 1913, as amended, relating to party conventions and nomination papers.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bill No. 337 ordered to enrollment.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judge—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.



Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 761—An act to amend section 47 of the Civil Code, relating to privileged publications;

Also: Senate Bill No. 554—An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains; and repealing the act entitled "An act to promote the safety of employees and traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 149—An act to amend section 190 of the Penal Code, relating to murder in the second degree;

Also: Senate Bill No. 577—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, Statutes 1897, page 254, as amended, by amending the title of said act and adding thereto six new sections to be numbered 108a, 108b, 108c, 108d, 108e, 108f, to provide for the construction, reconstruction, betterment or improvement of an irrigation system, or systems or the purchase or acquisition of an irrigation system or systems already constructed, and providing for the payment of the costs and expenses of such acquisitions and such work and improvements and the issuance of bonds therefor and the payment of such bonds;

Also: Senate Bill No. 455—An act to amend section 626m of the Penal Code, relating to fishing and hunting at night;

Also: Senate Bill No. 884—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653ab to 653ag, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same;

Also: Senate Bill No. 48—An act reserving certain lands situated in Mission Bay, in the county of San Diego, to be used as a State park, providing for the management of the same by a commission; prescribing the duties and powers of such commission;

Also: Senate Bill No. 578—An act granting to the La Jolla Beach and Yacht Club, a corporation, a perpetual easement for a channel across certain tidelands in the city of San Diego;

Also: Senate Bill No. 459—An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State;

Also: Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the district courts of appeal;

Also: Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3a and 3b respectively, relating to licenses;

Also: Senate Concurrent Resolution No. 20—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a commission to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 259—An act to amend section 1576 of the Political Code, relating to the organization of school districts in incorporated cities;

Also: Assembly Bill No. 447—An act to amend section 1858 of the Political Code, relating to the apportionment of school funds and to school attendance;

Also: Assembly Bill No. 463—An act to amend section 8 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and to add a new section to be numbered section 8a conferring upon the State Department of Finance authority to invest and reinvest the moneys in the public school teachers' permanent fund and defining the powers and duties of said department in relation thereto;

Also: Assembly Bill No. 921—An act to amend section 1775 of the Political Code, relating to certification of teachers;

Also: Assembly Bill No. 1207—An act to add new sections to article IIc of chapter III of title I of part III of the Political Code, to be numbered sections 362g, 362h and 362i of said code, creating a division of libraries in the Department of Education and providing for the administration thereof;

Also: Assembly Bill No. 1230—An act providing for the investigation of the supplementary books used in the elementary schools of the State by the Board of Education and requiring a report thereon to be made by said board to the State Board of Control;

Has has the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bills Nos. 259, 447, 463, 921, 1207 and 1230 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 724—An act to add a new section to the Political Code, to be numbered 1734d, providing for the exclusion of school districts annexed to city high school districts under the provisions of section 1734a of the Political Code;

Also: Assembly Bill No. 260—An act to amend section 1608 of the Political Code, relating to the sale of the personal property belonging to school districts;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Senate Bill No. 724 ordered on file for second reading.

Assembly Bill No. 260 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1259—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CROWLEY, Chairman.  
ALLEN, N. M.  
BOGGS.  
CANEPA.  
GRAY.  
JONES, RAY.  
MURPHY.  
YOUNG.

Assembly Bill No. 1259 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1253—An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the

State Board of Pharmacy—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

CROWLEY, Chairman.  
ALLEN, N. M.  
BOGGS.  
CANEPA.  
GRAY.  
JONES, RAY.  
MURPHY.  
YOUNG.

Assembly Bill No. 1253 ordered on file for second reading.

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the district courts of appeal;

Also: Senate Bill No. 218—An act appropriating money to be expended by the Reclamation Board for general administrative purposes;

Also: Senate Bill No. 427—An act to authorize the Governor to appoint a commission to prepare the plans and to select the site for a separate penal institution for women offenders;

Also: Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equitation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—10; absent—8.

INMAN, Chairman.

Senate Bills Nos. 204, 218, 427 and 871 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 52—An act to amend section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office;

Also: Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

Committee membership—18; committee vote: Ayes—10; absent—8.

INMAN, Chairman.

Senate Bills Nos. 52 and 576 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 856—An act to authorize and direct the State Board of Control to purchase and invest in, sell and exchange, warrants of the Sacramento and San Joaquin Drainage District issued or to be issued, and payable out of or secured by Sutter-Butte By-pass Assessment No. 6 and Feather River Assessment No. 7, or either of said assessments, or of any new, additional, or supplemental assessments that may be levied upon lands within said Sacramento and San Joaquin Drainage District for the purpose of completing or continuing the work for which said assessments, or either of them, have been levied, or of paying the incidental expenses connected therewith or paying the warrants or other indebtedness thereof; to purchase, sell and exchange bonds based upon such assessments, or either of them, and to exchange said warrants for such bonds; appropriating money therefor and providing for reimbursement of the State for moneys expended or unused in accordance with this



act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—10; absent—8.

INMAN, Chairman.

Senate Bill No. 856 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 43—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 43 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the comma following the word "election", insert the following: "it shall be deemed for all purposes of such election and primary election,".

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, after the word "nomination", insert the following: "papers".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 43, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Special Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Young:

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV, of the constitution, I request permission to introduce a bill having the following title:

An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Request referred to Committee on Rules.

ADJOURNMENT.

At three o'clock and fifteen minutes p.m., on motion of Senator Slater, the President declared the Senate adjourned until eleven o'clock a.m., Monday, April 18, 1927.



## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Monday, April 18, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.  
Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—37.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 15, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senators Nelson and Taylor were, on motion of Senator Breed, granted leaves of absence for this day.

Senator Handy was, on motion of Senator Slater, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. G. P. Hall of Petaluma, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Thomas P. Boyd of San Rafael, California, and Mr. W. J. Boyd of Sausalito, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. T. Malinche of Blythe, California.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Henry C. McPike, Dr. Frank Hart, Mr. W. R. Holman, Mrs. B. L. Strong and Mrs. Walter Fisher of Pacific Grove, California.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. J. O'Callaghan of San Francisco, California.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Frank Dewar and Mr. Robert Jones of Los Angeles, California.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Rex Goodcell of Los Angeles, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Vera Franklin, representative of the San Francisco School Teachers' Association.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to former Senator M. B. Harris and wife of Fresno, California.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following resolution was introduced:

By Senator Baker: Senate Concurrent Resolution No. 28—Relative to approving the charter of the city of Pacific Grove, State of California, voted for and ratified by the qualified voters of said city of Pacific Grove at its special municipal election held therein for that purpose on the ninth day of April, 1927.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION

##### NUMBER TWENTY-EIGHT.

Senator Baker asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 28 at this time, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 28—Relative to approving the charter of the city of Pacific Grove, State of California, voted for and ratified by the qualified voters of said city of Pacific Grove at its special municipal election held therein for that purpose on the ninth day of April, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 28 adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 28 ordered transmitted to the Assembly.

#### CONSIDERATION OF DAILY FILE.

##### UNFINISHED BUSINESS FILE.

Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of

any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 263?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 263 by the following vote:

AYES—None.

NOES—Senators Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Johnson, Jones, H. C. Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Handy, Boggs and Jones, H. C., as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 263.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 666 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Lyon, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—26.

NOES—Senator Jones, Ray—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 590—An act appropriating money to pay the claim of George W. Root against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 590 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 293 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 875 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 869—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 869 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, provid-



ing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 312 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 847—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista.

Bill read third time.

#### PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Taylor, Tubbs, Wag, Weller, West, and Young—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 847 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Taylor, Tubbs, Wag, Weller, West, and Young—31.

NOES—None.

#### TITLE AMENDMENT.

Senator Rush moved to amend the title to Senate Bill No. 847 as follows:

#### AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the period following the word "Vista" and insert a comma and the following: "and making same an urgency measure."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 319—An act to add a new section to article 2 of chapter III of title I of part III of the Political Code to be numbered

362g, relating to the establishment of a Division of School Planning in the State Department of Education and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 319 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State park bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 441 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State commissioner thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 239 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyons, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 186 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 188 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### LEAVE OF ABSENCE.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for the remainder of this day.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

#### MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Garrison moved to reconsider the vote whereby Senate Bill No. 244 was refused passage.

Senate Bill No. 244—An act to amend sections 2 and 22½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'

approved May 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to Fish and Game Districts 1 and 4½.

The question being on the motion to reconsider.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Garrison moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

The Secretary announced the absentees.

Time, twelve o'clock and five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 761—An act to amend section 47 of the Civil Code, relating to privileged publication.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 761 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION.

Senator Inman moved that Senate Bill No. 149 be re-referred to Committee on Revision of Criminal Law and Procedure.

Motion carried.

MOTION.

Senator Inman moved that Assembly Bill No. 395 be placed on file, without reference to committee.

Motion carried.

Senate Bill No. 577—An act to amend an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition and construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes,"



approved March 31, 1897, Statutes 1897, page 254, as amended, by amending the title of said act and adding thereto six new sections to be numbered 108*a*, 108*b*, 108*c*, 108*d*, 108*e*, 108*f*, to provide for the construction, reconstruction, betterment or improvement of an irrigation system, or systems, or the purchase or acquisition of an irrigation system or systems already constructed, and providing for the payment of the costs and expenses of such acquisitions and such work and improvements and the issuance of bonds therefor and the payment of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 577 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 455—An act to amend section 626*m* of the Penal Code, relating to fishing and hunting at night.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 455 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

#### SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 725—An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration;

Also: Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District;" to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so

advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose, and declaring this act to be an emergency measure;

Also: Senate Bill No. 865—An act to authorize the Attorney General, as prochein ami or next friend acting for and on behalf of the Indians of California, to bring suit or suits against the United States in the Court of Claims in the event that the Congress of the United States authorizes the same and making an appropriation to cover expenses incident thereto;

Also: Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State;

Also: Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years;

Also: Senate Bill No. 809—An act to amend section 737*w* of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara;

Also: Senate Bill No. 2—An act to amend section 738*c* of the Political Code, relating to the salaries of the judges of the superior court of the county of Monterey;

Also: Senate Bill No. 46—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of an additional judge and the manner of payment of his compensation;

Also: Senate Bill No. 103—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of the superior court judge of the county of Del Norte;

Also: Senate Bill No. 741—An act to add a new section, to be numbered 13, to an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the collection of facts, information, and statistics to promote the education, employment and general welfare of the deaf;

Also: Senate Bill No. 236—An act to add a new section to the Political Code, to be numbered section 737*r*, relating to the salaries of the judges of the superior courts of the county of Riverside;

Also: Senate Bill No. 763—An act to amend section 737*r* of the Political Code, relating to the salary of the superior judge in Mendocino County;

Also: Senate Bill No. 397—An act to add a new section to the Penal Code, to be numbered 737*r*, relating to the salary of superior judge in Contra Costa County;

Also: Senate Bill No. 804—An act to amend section 737*b* of the Political Code, relating to salaries of the judges of the superior court of the county of Imperial;

Also: Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents;

Also: Senate Bill No. 886—An act to amend section 3804 of the Political Code, relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property;

Also: Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock;

Also: Senate Bill No. 888—An act to provide for a survey of and works on the Santa Ana River watershed and basin for flood control and making an appropriation therefor;

Also: Senate Bill No. 621—An act making an appropriation to pay the claim of Edward J. Kelly against the State of California;

Also: Senate Bill No. 649—An act making an appropriation to pay the claim of Richard Kittrelle against the State of California;

Also: Senate Bill No. 598—An act appropriating money to pay the claim of Percy E. Towne and Peter A. Breen against the State of California;

Also: Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses;

Also: Senate Bill No. 153—An act making an appropriation of \$39,200.25 to pay the claim of Antoinette O'Brien against the State of California, and prescribing the duties of the Controller and the Treasurer of the State in relation thereto;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 725—An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 725 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagz, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILL—(OUT OF ORDER).

Assembly Bill No. 1231—An act to add a new section to the Political Code, to be numbered 736b, prescribing the payment of compensation of judges of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1231 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagz, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 578—An act granting to the La Jolla Beach and Yacht Club, a corporation, a perpetual easement for a channel across certain tidelands in the city of San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 578 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagz, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 459—An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 459 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Tubbs, Wagz, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Garrison.

The Secretary was directed to call the roll on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 244 was refused passage carried by the following vote:

AYES—Senators Boggs, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Swing, and West—21.

NOES—Senators Allen, N. M., Baker, Breed, Canepa, Chamberlin, Evans, Johnson, Pedrotti, Slater, Tubbs, Wagy, Weller, and Young—13.

RECESS.

At twelve o'clock and thirty-three minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of one o'clock and thirty minutes p.m.

RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the pay roll of the Senate.

Dorothy Reese, Stenographer-----\$5 00 per day

Resolution read, and on motion of Senator Crowley adopted.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Engrössment, Enrollment and Printing has examined Senate Concurrent Resolution No. 15—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California:

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section 22 of article IV, relating to the expenditure of public money in State aid:

Also: Senate Bill No. 20—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters:

Also: Senate Bill No. 618—An act to amend an act entitled "An act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein," approved May 29, 1915, by adding a new section thereto to be numbered 6a, declaring breeding places for mosquitoes to be a public nuisance and providing for the abatement thereof:

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California that section 7 of article XII of the constitution of said State relating to the extension of franchises and charters and the remission of forfeitures of franchises and charters of corporations be amended:

Also: Senate Bill No. 601—An act to amend an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, counties and counties, counties and of the State of California for injuries to person or property resulting



from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, by adding thereto a new section to be numbered section 4;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1927, at 4 o'clock and 40 minutes p.m.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 759—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers and sleeping car companies of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss of or injury to the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

WAGY, Chairman.  
BOGGS.  
COBB.  
GARRISON.  
INMAN.  
MURPHY.  
WELLER.  
WEST.

Assembly Bill No. 759 ordered on file for second reading.

#### ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1129—An act to amend section 10 of an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau Fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913, relating to the disposition of funds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—5; committee vote: Ayes—5.

INGRAM, Chairman.

Assembly Bill No. 1129 ordered on file for second reading.

#### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 189—An act to amend section 384a of the Penal Code,

relating to the protection of the Christmas red berry and Christmas tree—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BOGGS, Chairman.  
BAKER.  
COBB.  
HOLLISTER.  
INMAN.  
JONES, RAY.  
KLINE.  
RUSH.  
SLATER.  
WAGY.  
YOUNG.

Assembly Bill No. 189 ordered on file for second reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 486—An act to create a harbor district to be called Ventura County Harbor District, to provide for the location, improvement, development and protection on the seacoast of Ventura County of a harbor and approaches thereto, to provide for the government, control, operation and maintenance of said harbor and the approaches thereto, and to define the powers and duties of the officers thereof, to provide for the construction of works and the acquisition of property therefor; to authorize the advance by Ventura County of the preliminary expense and the incurring by said district of indebtedness for the cost of said construction and the voting, issuing and selling of bonds therefor, and to provide for the levy of assessments by said district for said purposes and for the collection thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 682—An act to repeal section 598 of the Civil Code, relating to the sale of real property, and granting of easements by religious corporations;

Also: Senate Bill No. 808—An act to amend section 4463 of the Political Code, relating to newspapers;

Also: Senate Bill No. 835—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges;

Also: Senate Bill No. 111—An act to amend section 17 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to probation committees;

Also: Senate Bill No. 41—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the license fees to be paid by licensed employment agencies and surety bonds required of them;

Also: Senate Bill No. 43—An act to amend section 18 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by providing for penalties for violations of the said act.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 682, 808, 835, 111, 41 and 43 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 5th amended, and on this day passed as amended, Senate Bill No. 241—An act to amend section 10 of an act entitled, "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled, 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the licensing of real estate brokers and salesmen—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the licensing of real estate brokers and salesmen.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED FORTY-ONE. AMENDMENT NUMBER ONE.

In line 13 of the title of the printed bill, as amended March 8, 1927, and April 1, 1927, after the figures and comma "1919.", add the following: "as amended".

#### AMENDMENT NUMBER TWO.

On page 1, line 12 of the printed bill, as amended March 8, 1927, and April 1, 1927, after the figures and comma "1919.", add the following: "as amended".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 241?

The roll was called, and Assembly amendments to Senate Bill No. 241 concurred in by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, and Weller—28.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 15—Relative to memorializing Congress for federal aid in the construction of a breakwater in Monterey Bay at or near the city of Monterey.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk

Assembly Joint Resolution No. 15 read, and referred to Committee on Federal Relations.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 735—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund;

Also: Assembly Bill No. 1110—An act defining miscellaneous maps, plats or plans and providing for the recording thereof;

Also: Assembly Bill No. 1249—An act to amend section 4274 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-fifth class;

Also: Assembly Bill No. 1260—An act to amend section 2 of an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended;

Also: Assembly Bill No. 1271—An act to amend sections 3718 and 3820 of the Political Code, relating to the lien of taxes on real property and improvements and the collection of personal property taxes by the assessor;

Also: Assembly Bill No. 1203—An act appropriating money to pay the claim of C. W. Booth against the State of California;

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 735 read first time, and referred to Committee on Manufactures.

Assembly Bill No. 1110 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1249 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1260 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1271 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1203 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 79—An act to amend sections 6 and 32a of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry



this act into effect," approved June 15, 1913, as amended, and to add a new section thereto to be numbered 16a, relating to the sealer of weights and measures, and penalties under this act.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 79 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1208—An act to amend section 633a of the Political Code, relating to licensing of insurance brokers.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 1208 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 402—An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 402 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 66—An act to amend section 204c of the Code of Civil Procedure, relating to duties of jury commissioner:

Also: Assembly Bill No. 395—An act to amend section 190 of the Penal Code, relating to murder in the second degree:

Also: Assembly Bill No. 515—An act to amend section 688 of the Code of Civil Procedure, relating to executions in civil actions:

Also: Assembly Bill No. 593—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion:

Also: Assembly Bill No. 199—An act to amend section 637c of the Penal Code, relating to the protection of game:

Also: Assembly Bill No. 394—An act to amend section 2 of an act entitled "An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof," approved June 22, 1923, relating to the distribution of the State Blue Book.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 66 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 395 read first time, and ordered on file for second reading.

Assembly Bill No. 515 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 593 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 199 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 394 read first time, and referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 30—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Concurrent Resolution No. 30 read, and referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 281—An act appropriating money to pay the claim of Pacific Tank and Pipe Company, a corporation, against the State of California;

Also: Assembly Bill No. 282—An act appropriating money to pay the claim of H. Mortimer Smith against the State of California;

Also: Assembly Bill No. 283—An act appropriating money to pay the claim of Mrs. J. H. Newman against the State of California;

Also: Assembly Bill No. 284—An act appropriating money to pay the claim of Alex Fagerstrom against the State of California;

Also: Assembly Bill No. 285—An act appropriating money to pay the claim of W. W. Sharp, treasurer of the county of Lassen, against the State of California;

Also: Assembly Bill No. 286—An act appropriating money to pay the claim of the city of Berkeley against the State of California for the construction of electroliers upon that portion of Bancroft Way in said city of Berkeley, fronting upon property of the University of California;

Also: Assembly Bill No. 290—An act to amend section 737ccc of the Political Code, relating to the salaries of judges of the superior courts of the State of California in and for the counties of San Joaquin, San Bernardino, Orange and Sacramento;

Also: Assembly Bill No. 296—An act to add a new section to the Political Code, to be numbered 737x, relating to the salaries of the superior judges of the county of Kern;

Also: Assembly Bill No. 427—An act to add a new section to the Political Code, to be numbered 737u, relating to the salary of the judge of the superior court of the county of Amador;

Also: Assembly Bill No. 428—An act to add a new section to the Political Code to be numbered 737r, relating to the salary of the judge of the superior court of the county of Calaveras;

Also: Assembly Bill No. 434—An act appropriating money to pay the claim of the Exchange Orange Products Company, a corporation, against the State of California;

Also: Assembly Bill No. 445—An act to authorize the Governor to appoint a commission to prepare plans and to select a site for a separate penal institution for women offenders;

Also: Assembly Bill No. 473—An act making an appropriation to pay the claim of Jennie Martin against the State of California;

Also: Assembly Bill No. 577—An act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses;

Also: Assembly Bill No. 586—An act to amend section 737 of the Political Code, relating to the salaries of the superior judges in Inyo, Mariposa and Mono counties;

Also: Assembly Bill No. 613—An act to provide for the promotion and maintenance of classes for children with defective speech, and making an appropriation therefor;

Also: Assembly Bill No. 627—An act making an appropriation to pay the claim of the county of Sacramento against the State of California;

Also: Assembly Bill No. 655—An act to amend section 738a of the Political Code, relating to the salaries of judges of the superior courts in and for the counties of Lassen and Plumas;

Also: Assembly Bill No. 732—An act appropriating money to pay the claim of city of Los Angeles against the State of California;

Also: Assembly Bill No. 739—An act to add a new section to the Penal Code, to be numbered 737c, relating to the salary of superior judge in Contra Costa County;

Also: Assembly Bill No. 758—An act to amend section 737p of the Political Code, relating to the salary of the judges of the superior court in and for the county of Stanislaus;

Also: Assembly Bill No. 777—An act appropriating money to pay the claim of Grace E. Kelshaw, as county treasurer of the county of San Luis Obispo, against the State of California;

Also: Assembly Bill No. 882—An act appropriating money to pay the claim of C. G. Celio and Sons against the State of California;

Also: Assembly Bill No. 892—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State Commissioner thereof;

Also: Assembly Bill No. 948—An act to amend section 737m of the Political Code, relating to the salaries of superior judges in Solano and Napa counties;

Also: Assembly Bill No. 958—An act to provide for an actuarial investigation of the public school teachers' retirement salary fund and providing for an appropriation therefor;

Also: Assembly Bill No. 1070—An act to make an appropriation to pay the claim of Vina Rais against the State of California;

Also: Assembly Bill No. 1100—An act to amend section 737ab of the Political Code, relating to salary of the judge of Merced County;

Also: Assembly Bill No. 1128—An act to appropriate \$5,682.60 to be used for the improvement of the street or streets on and fronting on the property of the State of California, located at the Chico State Teachers College in the city of Chico;

Also: Assembly Bill No. 1152—An act to amend section 737n of the Political Code, relating to the salary of the superior court judge of the county of Butte;

Also: Assembly Bill No. 1153—An act making an appropriation to pay the claim of the Red River Lumber Company against the State of California;

Also: Assembly Bill No. 1175—An act providing for the building of a causeway across the Sutter By-pass in Sutter County, State of California, and making an appropriation therefor;

Also: Assembly Bill No. 1186—An act making an appropriation to pay the claim of F. O. Butler against the State of California;

Also: Assembly Bill No. 1192—An act making an appropriation to pay the claim of the Chalfant Cooperative Power Association against the State of California;

Also: Assembly Bill No. 1202—An act to appropriate money to pay the claim of L. E. Hallowell, as county clerk of the county of Ventura, against the State of California;

Also: Assembly Bill No. 1229—An act to amend section 361 of the Political Code, relating to the Department of Agriculture;

Also: Assembly Bill No. 1234—An act making an appropriation to meet the deficiency in the appropriation for the construction and furnishing of the administration building at the Santa Barbara State Teachers College;

Also: Assembly Bill No. 1236—An act to amend section 366 of the Political Code, relating to the Department of Institutions;

Also: Assembly Bill No. 1239—An act to amend section 737c of the Political Code, relating to the salary of the superior judge of Ventura County;

Also: Assembly Bill No. 1248—An act making an appropriation to pay the claim of Pacific Employers Insurance Company against the State of California;

Also: Assembly Bill No. 1250—An act appropriating money to pay the claim of John F. Huberty against the State of California;

Also: Assembly Bill No. 1258—An act appropriating money for premiums at fairs or exhibitions held by the Forty-sixth District Agricultural Association during the seventy-ninth and eightieth fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 281, 282, 283, 284, 285 and 286 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 290, 296, 427 and 428 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 434 read first time, and referred to Committee on Finance.

Assembly Bill No. 445 read first time, and referred to Committee on Revision of Criminal Law and Procedure.



Assembly Bill No. 473 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 577 and 586 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 613 read first time, and referred to Committee on Education.

Assembly Bill No. 627 read first time, and referred to Committee on Finance.

Assembly Bill No. 655 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 732 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 739, 758 and 777 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 882 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 892 and 948 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 958 read first time, and referred to Committee on Education.

Assembly Bill No. 1070 read first time, and referred to Committee on Finance.

Assembly Bill No. 1100 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1128 read first time, and referred to Committee on Universities and Teachers Colleges.

Assembly Bill No. 1152 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1153 read first time, and referred to Committee on Finance.

Assembly Bill No. 1175 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bills Nos. 1186 and 1192 read first time, and referred to Committee on Finance.

Assembly Bill No. 1202 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1229 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1234 read first time, and referred to Committee on Universities and Teachers Colleges.

Assembly Bills Nos. 1236 and 1239 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 1248, 1250 and 1258 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 7—An act to add a new section to the Political Code to be numbered 737q, relating to the salary of the judge of the superior court of the county of El Dorado;

Also: Assembly Bill No. 25—An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define



offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled "An act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, and all other acts or parts of acts in conflict herewith:

Also: Assembly Bill No. 38—An act providing for a Commission on Pensions of State Employees; providing for the appointment of members thereof; prescribing the powers and duties of such commission, and making an appropriation therefor;

Also: Assembly Bill No. 49—An act to add a new section to the Political Code, to be numbered 737*l*, relating to the salaries of superior judges of Colusa County;

Also: Assembly Bill No. 62—An act to add a new section to the Political Code, to be numbered 737*qq*, relating to salary of judge of the superior court in and for the county of Sutter.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 7 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 25 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 38, 49 and 62 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 63—An act to add a new section to the Political Code, to be numbered 737*s*, relating to salary of judge of the superior court in and for the county of Yolo;

Also: Assembly Bill No. 64—An act to add a new section to the Political Code, to be numbered 737*r*, relating to salary of judge of the superior court in and for the county of Yuba;

Also: Assembly Bill No. 67—An act appropriating money to pay the claim of John L. Berry, as county treasurer of the county of Siskiyou, against the State of California;

Also: Assembly Bill No. 72—An act appropriating money to pay the claim of W. M. Hughes, as county treasurer of the county of Madera, against the State of California;

Also: Assembly Bill No. 73—An act to add a new section to the Political Code, to be numbered 737*l*, relating to the annual salary of the superior court judge of Madera County;

Also: Assembly Bill No. 74—An act to amend section 736*a* of the Political Code, relating to the salaries of the justices of the district courts of appeal;

Also: Assembly Bill No. 75—An act to amend section 737*r* of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco;

Also: Assembly Bill No. 76—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 63 and 64 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 67 and 72 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 73, 74, 75 and 76 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 84—An act to add a new section to the Political Code, to be numbered 738*ab*, relating to the salary of the superior court judge of the county of Marin;

Also: Assembly Bill No. 105—An act to add a new section to the Political Code, to be numbered 738c, relating to the annual salary of the superior court judge of the county of Tuolumne;

Also: Assembly Bill No. 109—An act to add a new section to the Political Code, to be numbered 737i, relating to the salary of the judge of the superior court in and for the county of Shasta;

Also: Assembly Bill No. 152—An act making an appropriation to pay the claim of the Gold Buckle Association against the State of California;

Also: Assembly Bill No. 153—An act to add a new section to the Political Code, to be numbered 737r, relating to the salaries of the superior court judges in Riverside County;

Also: Assembly Bill No. 160—An act to amend section 737k of the Political Code, relating to the annual salaries of the superior court judges of the State of California in and for the county of Santa Barbara;

Also: Assembly Bill No. 166—An act appropriating money to pay the claim of Galen W. Morrill against the State of California;

Also: Assembly Bill No. 167—An act to provide for the maintenance of schools for the children of migratory laborers engaged in seasonal industries in the rural districts of the State and making an appropriation therefor, and creating a revolving fund and providing for the apportionment of school funds.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 84, 105 and 109 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 152 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 153 and 160 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 166 read first time, and referred to Committee on Finance.

Assembly Bill No. 167 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 172—An act appropriating money to pay the claim of John M. Daly, as county treasurer of the county of Tulare, against the State of California;

Also: Assembly Bill No. 188—An act to add a new section to be numbered 737i to the Political Code, relating to the salary of the judge of the superior court of Nevada County;

Also: Assembly Bill No. 206—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 213—An act to amend section 2526a of the Political Code, relating to the powers of the Board of State Harbor Commissioners;

Also: Assembly Bill No. 256—An act to add a new section to the Political Code, to be numbered 737abc, relating to the salary of the superior court judge of the county of Del Norte;

Also: Assembly Bill No. 269—An act appropriating money to pay the claim of W. H. Stitt against the State of California;

Also: Assembly Bill No. 270—An act appropriating money to pay the claim of Salvatore Spingola against the State of California;

Also: Assembly Bill No. 271—An act appropriating money to pay the claim of Bernard Verbeck against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bill No. 172 read first time, and referred to Committee on Finance.

Assembly Bill No. 188 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 206 read first time, and referred to Committee on Rules.

Assembly Bill No. 213 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bills Nos. 256 and 269 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 270 and 271 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 272—An act appropriating money to pay the claim of the California Highway Commission against the State of California;

Also: Assembly Bill No. 273—An act appropriating money to pay the claim of H. Moffatt Company against the State of California;

Also: Assembly Bill No. 274—An act appropriating money to pay the claim of H. Levy Company against the State of California;

Also: Assembly Bill No. 275—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 276—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 277—An act appropriating money to pay the claim of Clark and Henery Construction Company, a corporation, against the State of California;

Also: Assembly Bill No. 278—An act appropriating money to pay the claim of A. J. and T. D. Borie against the State of California;

Also: Assembly Bill No. 279—An act appropriating money to pay the claim of Charles G. Johnson against the State of California;

Also: Assembly Bill No. 280—An act appropriating money to pay the claim of Niagara Fire Insurance Company, a corporation, against the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By EDWIN C. LYNCH, Assistant Clerk.

Assembly Bills Nos. 272, 273, 274, 275, 276, 277, 278, 279 and 280 read first time, and referred to Committee on Finance.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

##### ON RULES.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Young, to introduce a bill entitled—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—3; absent 2.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Young to introduce a bill entitled—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by adding two new sections to be known as sections 36½ and 55½ relating to authorization to the State Compensation Insurance Fund to insure against liability under and to the Industrial Accident Commission to assist in the enforcement of the United States Longshore-



men's and Harbor Workers' Compensation Act—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, and Young—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

The following bills were introduced:

By Senator Young: Senate Bill No. 889—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 890—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917 as amended, by adding two new sections to be known as sections 36½ and 55½, relating to authorization to the State Compensation Insurance Fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act.

Bill read first time, and referred to Committee on Judiciary.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 724—An act to add a new section to the Political Code, to be numbered 1734d, providing for the exclusion of school districts annexed to city high school districts under the provisions of section 1734a of the Political Code.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, beginning with "thirty-four d", strike out the remainder of the title and insert in lieu thereof the following: "fifty-one a, relating to attendance at high school".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the figures "1734d", and insert in lieu thereof the following: "1751a".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1 of the printed bill, beginning with line 3, strike out the remainder of the bill, and insert in lieu thereof the following:

1751a. Any person, resident of a high school district, who is eligible to attend a high school under the provisions of section 1751 of this code, may attend high school in another high school district upon such terms and conditions as may be agreed



upon by the board of the high school district of which he is a resident and of the district in which he proposes to attend, or upon the failure of the boards to agree, then upon such terms and conditions as shall be determined by the superintendent of schools of the county in which the person is a resident. In case of the failure of the superintendent of schools to make a satisfactory decision, the person or his parent or guardian, or the board of either high school district may appeal to the superintendent of public instruction, who may fix such terms and conditions as he may think proper.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the district courts of appeal.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 218—An act appropriating money to be expended by the Reclamation Board for general administrative purposes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 427—An act to authorize the Governor to appoint a commission to prepare the plans and to select the site for a separate penal institution for women offenders.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equitation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in relation thereto and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 856 - An act to authorize and direct the State Board of Control to purchase and invest in, sell and exchange warrants of the Sacramento and San Joaquin Drainage District, issued or to be issued, and payable out of or secured by Sutter-Butte By-pass Amendment No. 6 and Feather River Assessment No. 7, or either of said assessments, or of any new, additional or supplemental assessments that may be levied upon lands within said Sacramento and San Joaquin Drainage District for the purposes of completing or continuing the work for which said assessments, or either of them, have been levied, or of paying the incidental expenses connected therewith or paying the warrants or other indebtedness thereof; to purchase, sell and exchange bonds based upon such assessments, or either of them, and to exchange said warrants for such bonds; appropriating money therefor and providing for reimbursement of the State for moneys expended or unused in accordance with this act.

**COMMITTEE AMENDMENTS.**

During the second reading of the bill, the following committee amendments were offered:

**AMENDMENT NUMBER ONE.**

In the title of the printed bill, strike out all of lines 1 to 17, inclusive, and insert in lieu thereof the following:

An act transferring the operation and control of certain of the flood control works of the Sacramento and San Joaquin drainage district to the department of public works, and providing that the cost thereof shall be paid by the state and relieving said district and the reclamation board and its members from responsibility and liability for operation or maintenance of flood control works; providing for the cancellation of bonds of said district authorized but not sold; authorizing the reclamation board to levy a supplementary assessment and to order called assessments levied in connection with project number six; authorizing the issuance of bonds of said district based on and secured by assessments upon the land within the boundaries of project number six of said district; authorizing the validation of said bonds; authorizing the state board of control to purchase and invest in warrants and bonds of said district; authorizing land owners within said project number six to pay assessments in warrants or bonds of said district; adding to, taking away from and altering an act known as the reclamation board act, approved December 24, 1911, as amended, and repealing all other acts or parts of acts in so far as they are in conflict herewith.

### Amendment adopted.

#### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive; also strike out all of pages 2 and 3 of said bill and insert in lieu thereof the following:

SECTION 1. The State of California and the people thereof are hereby declared to have a primary interest in adequately protecting lands overflowed, or subject to overflow, in confining the waters of rivers, tributaries, by-passes and overflow channels and basins within their respective basins and boundaries within the Sacramento and San Joaquin drainage district, and freeing the lands within said district from the liens of indebtedness now existing thereon, and in preserving the welfare of the residents and holders of land therein.

SEC. 2. For a period of ten years from and after the date upon which this act becomes effective, the operation and maintenance of the units or portions of the flood control works within the Sacramento and San Joaquin drainage district hereinafter enumerated shall be under the direction and control of the department of public works, and the cost of such operation, control and maintenance, during said period, shall be defrayed by the state:

- (1) The east levee of the Sutter by-pass north of Nelson slough,
- (2) The levees and channels of the Wadsworth canal, the intercepting canals draining into the same, and all structures incidental thereto,
- (3) The collecting canals, sumps, pumps and structures of the drainage system of project number six east of the Sutter by-pass,
- (4) The by-pass channels of the Butte slough by-pass, the Sutter by-pass, the Tisdale by-pass, and the Yolo by-pass, with all cuts, canals, bridges, dams, and other structures and improvements contained therein and in the borrow pits thereof,
- (5) All weirs and all structures and works incidental thereto,
- (6) The levees of the Sacramento by-pass,
- (7) The channels and the overflow channels of the Sacramento river and its tributaries within the Sacramento river drainage area,
- (8) The Sacramento river outlet enlargement project below Cache slough to the extent of the state's liability therefor.

The Sacramento and San Joaquin drainage district and the reclamation board and the members thereof, during said period, are hereby relieved of all responsibility or liability for the operation or maintenance of all levees, overflow channels, by-passes, weirs, cuts, canals, pumps, drainage ditches, sumps, bridges, basins, or other flood control works within or belonging to the Sacramento and San Joaquin drainage district.

SEC. 3. It shall be the duty of the reclamation board to cancel all proceedings taken in connection with the bond issue of the Sacramento and San Joaquin drainage district based upon and secured by Sutter-Butte by-pass assessment number six of said district now authorized but not sold.

SEC. 4. It shall be the duty of the reclamation board to levy a supplementary assessment, to be known and designated as Sutter-Butte by-pass supplementary assessment number six, upon all of the lands within the boundaries of Sutter-Butte by-pass project number six equal to the difference between the present Sutter-Butte by-pass assessment number six and the total outstanding obligations of Sutter-Butte by-pass project number six as of the date of the levying of such supplementary assessment plus a sum equal to fifteen per cent to cover delinquencies, interest, overhead, collection, validation and incidental expenses in connection therewith. Such supplementary assessment shall be levied and apportioned to each tract of land within the boundaries of said Sutter-Butte by-pass project number six in all respects as provided by law, with respect to projects of said Sacramento and San Joaquin drainage district adopted prior to April 1, 1923.

SEC. 5. The reclamation board is hereby authorized, and it shall be the duty of said reclamation board to issue bonds of the Sacramento and San Joaquin drainage district of an aggregate par value equal to the sum of said assessment number six, less any credits to said assessment number six, and said supplementary assessment

number six and based thereon and secured thereby. Said bonds shall be numbered serially from number one upwards, *provided*, that bonds of the denomination of one hundred dollars shall have preceding the number thereof the letter "C", those of five hundred dollars the letter "D", and those of one thousand dollars the letter "M", shall be in denominations of one hundred dollars or multiples thereof as said reclamation board may determine, shall bear interest not to exceed five per cent per annum, payable semiannually, shall mature forty years from and after their date, shall be callable at par on any interest payment date and shall be substantially in the following form:

UNITED STATES OF AMERICA  
STATE OF CALIFORNIA  
SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT

No. \_\_\_\_\_ \$-----

Sacramento and San Joaquin drainage district in the State of California, for value received, hereby acknowledges itself indebted to, and promises to pay to, the holder hereof, at the office of the state treasurer of the State of California, on the first day of \_\_\_\_\_ 19\_\_\_\_, the sum of \$-----, in gold coin of the United States of America, with interest thereon in like gold coin from date hereof until paid, at the rate of five per cent per annum, payable at the office of said state treasurer semiannually, on the first day of January and the first day of July in each year on presentation and surrender of the interest coupons hereto attached.

This bond is one of a series of \_\_\_\_\_ bonds of like tenor and effect, differing only as to serial number and denomination, amounting in the aggregate to \$-----, issued in accordance with an act of the legislature of the State of California, approved \_\_\_\_\_ 1927, authorizing the same, and is based upon and secured by assessments known and designated as (names and numbers of assessments) validated by judgment of the superior court of the State of California, in and for the County of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and filed in the respective offices of the treasurers of the counties wherein are situated the lands assessed thereby. And said Sacramento and San Joaquin drainage district does hereby certify and declare that the issuance of said bonds was duly authorized by law, and that all the acts, conditions and things required by law to be done, precedent to and in the issuance of said bonds have been done and performed in regular and due form and in strict accordance with the provisions of law authorizing the issuance of the bonds of said Sacramento and San Joaquin drainage district.

This bond is subject to redemption by lot upon two weeks' published notice on any interest payment date before its fixed maturity in the manner and upon the terms provided in said act authorizing the same at the par value thereof with accrued interest thereon.

In witness whereof, the said Sacramento and San Joaquin drainage district, acting through the reclamation board of said state, has caused this bond to be signed by the president of said board and attested by the secretary of said board with the seal of said board affixed this \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_\_\_.

-----  
President of said reclamation board.

Attest:

-----  
Secretary of said reclamation board.

The interest coupons may be substantially in the following form:

No. \_\_\_\_\_ \$-----

The treasurer of the State of California will pay to the holder hereof on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, in his office in the city of Sacramento, State of California, the sum of \$-----, in gold coin of the United States, out of the funds of the Sacramento and San Joaquin drainage district, applicable thereto for interest on bonds of said district number -----.

-----  
State controller.

SEC. 6. The reclamation board shall deliver the bonds prepared pursuant to this act, duly signed and attested, to the state treasurer. Within ten days after said bonds have been delivered to the state treasurer, an action may be commenced by the reclamation board to have it determined that said bonds are a legal obligation of said drainage district, which said validation proceedings shall be commenced and carried to a final judgment in the manner prescribed by section 32 of an act entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin drainage district based upon assessments levied by the reclamation board upon lands in said district," approved May 27, 1919.

SEC. 7. The bonds of the Sacramento and San Joaquin drainage district issued pursuant to this act which are investigated and approved by any commission or officer now or hereafter authorized by any law of this state to conduct such investigation and give such approval, and by authority of which approval said bonds are declared legal investments for savings banks, may be lawfully purchased or received in pledge for loans by banks, trust companies, insurance companies, guardians, executors, administrators and special administrators or by any public officer or officers



of this state or of any county, city or city and county, or other municipality or corporate body within this state having or holding funds which they are allowed by law to invest or loan.

SEC. 8. The state board of control is hereby authorized out of the funds of the state which said board of control is authorized by law to invest, to purchase warrants of the Sacramento and San Joaquin drainage district drawn as provided by law and issued in connection with the carrying out of Sutter-Butte by-pass project number six of said district in the following manner, to wit:

The state board of control shall give notice from time to time to holders of such warrants in such manner as it may deem best that it will purchase warrants of said district issued in connection with said project number six in an amount sufficient to exhaust a specified sum of money at such price as may be deemed by said board to be fair, not exceeding, however, the face value thereof plus accrued interest: *provided, however*, that said board of control may reject any or all offers at which said warrants may be offered by holders thereof if, in the opinion of said board of control, the price at which such warrants are offered does not justify the investment of moneys of the state therein.

The said board of control is hereby further authorized to exchange any warrants so purchased by it for bonds of said district authorized and issued in accordance with this act at the price paid for such warrants by said board of control, and it shall be the duty of said reclamation board to accept said warrants at such price in payment for said bonds, and said bonds shall not be sold except to said board of control in exchange for warrants as herein provided.

SEC. 9. Said board of control is hereby further authorized to sell all or any part of said bonds so taken in exchange for warrants: *provided*, that any such sale shall be effected without loss to the state.

SEC. 10. Immediately upon the said bonds herein authorized and directed to be cancelled being cancelled, said reclamation board is hereby authorized, and it shall be the duty of said reclamation board to order that said assessment number six shall be paid in semiannual installments equal to three and one-half per cent of the principal of said assessment for each installment: *provided, however*, that immediately upon said supplementary assessment number six becoming a lien upon the lands, it shall be the duty of said reclamation board to rescind and cancel said order providing for the payment of three and one-half per cent semiannually and order that thereafter said assessment number six and said supplementary assessment number six shall be paid in semiannual installments equal to three and one-half per cent of principal amount of said assessments for each installment. The money so received from such installments shall be used for the following purposes and in the order hereinafter provided, and not otherwise:

(a) For the payment of the cost of levying and prorating said supplementary assessment number six and for the payment of expenses incidental to the carrying out of the provisions of this act: *provided, however*, that the sum of money that may be used by the reclamation board for the purposes of this subdivision (a) shall at no time exceed seven per cent of the total amount of money received from said assessments;

(b) For the redemption of such warrants of said district issued in connection with said project number six as may be entitled, by reason of any law in force prior to the time that this act becomes effective, to be redeemed out of money received from said assessments before the application of such money to the other purposes provided in this act;

(c) For the payment of interest on the bonds issued and sold pursuant to the provisions of this act;

(d) For the redemption of bonds issued and outstanding under the provisions of this act.

SEC. 11. Whenever there shall be on hand the sum of one thousand dollars or more, over and above the sum of money necessary to meet the requirements of subdivisions (a), (b) and (c) of the preceding section and applicable to the redemption of said bonds, said reclamation board shall, at any time, not less than sixty days before any semiannual interest date of said bonds, publish notice of the amount of money on hand available for the purchase or redemption of said bonds and inviting offers to be submitted to said reclamation board, within a period in such notice fixed, for the sale of such bonds, at prices to be named in such offers by the holders thereof. Said notice shall be published in a daily newspaper published in each of the following named cities of the State of California, Sacramento, Los Angeles and San Francisco, at least once in each week for three consecutive weeks. Upon receipt of such offers, the lowest and best offers shall be accepted up to the limit of the moneys on hand available for purchase of said bonds: *provided, however*, that no offer or offers so accepted shall exceed the par value of said bond or bonds plus accrued interest. In the event sufficient offers shall not be received to exhaust the moneys designated in such notice, said reclamation board shall select by lot so many of said bonds as shall be sufficient to exhaust the money designated in such notice. Immediately after such selection has been made the



reclamation board shall cause to be published in a daily newspaper once each week for two successive weeks, in a newspaper published in the city and county of San Francisco, in a newspaper published in the city of Sacramento, and in a newspaper published in the city of Los Angeles, a notice stating that at a specified semiannual interest date, the bonds specified in such notice will be redeemed, and the time, and fixing the place for the redemption thereof. If any bond designated in such notice shall not be presented for redemption at the time and place specified, it shall cease to bear interest.

SEC. 12. If any bond or interest coupon shall not be presented to the state treasurer for payment when the same becomes due, it shall cease to bear interest, but if presented at or after such time and not paid for want of funds, the state treasurer shall so endorse such bond or coupon together with the date of such presentation, and thereafter such bond or coupon shall bear interest at the rate expressed in the bond until paid or until funds have been provided in the state treasury applicable to its payment. The bonds purchased or redeemed pursuant to this section together with all unmatured coupons appertaining thereto, shall immediately be canceled.

SEC. 13. Any owner or holder of lands within the boundaries of said district whose lands are subject to the lien of said assessment number six, or said supplemental assessment number six, levied in connection with said project number six shall have the right to present to any officer authorized by law to collect such assessments, or any part thereof, warrants of said district issued in connection with said project number six prior to the date this act becomes effective in payment of his assessment, or any part thereof, and it shall be the duty of such officer to accept such warrants so presented or tendered in payment of such assessment, or any part thereof, at the face value of such warrant or warrants so presented, plus accrued interest, and any such owner or holder of land shall have the further right and privilege of presenting and tendering a bond or bonds of said district issued pursuant to this act in payment of any such assessment or any part thereof, and it shall be the duty of the officer authorized to collect such assessment to accept such bond or bonds in payment of such assessment or any part thereof at the par value thereof, plus accrued interest.

SEC. 14. This act shall be known and may be referred to as "Sacramento and San Joaquin drainage district refunding act."

SEC. 15. Inasmuch as this act concerns and is necessary to the immediate preservation of the public welfare, safety and peace, for the reason that the state and the people thereof have a primary interest of protecting, in so far as they may, a large number of the citizens of the state from financial disaster due to construction of flood control works affecting said district, and to which the state is a party, this act shall take effect upon approval by the governor.

SEC. 16. This act, in so far as it does not add to, take away from or alter an act entitled, "An act approving the report of the California debris commission transmitted to the speaker of the house of representatives by the secretary of war on June 27, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries, or upon the swamp lands adjacent to said river, directing the state engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California debris commission and to make a report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as now amended, shall be construed as a continuation thereof, and all other acts or parts of acts in so far as they are in conflict with this act, are hereby repealed.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 190—An act to amend section 9.4 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary and expenses of the county librarian in counties of the fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 252—An act to amend section 19.56 of the "Juvenile Court Law," approved June 5, 1915, as amended, said section

relating to the salaries of probation officers of counties of the fifty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 584—An act to amend section 4282 of the Political Code, relating to salaries of officers in counties of the fifty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 585—An act to amend section 4276 of the Political Code, relating to the salaries and fees of officials in counties of the forty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 764—An act to amend section 4258 of the Political Code, relating to the salaries of county officers in counties of the twenty-ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1219—An act to repeal an act entitled "An act for the support of certain cemeteries in Tehama County," approved April 1, 1872, and to provide for the disposition of moneys and funds theretofore collected under the provisions of said act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 259—An act to amend section 1576 of the Political Code, relating to the organization of school districts in incorporated cities.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 447—An act to amend section 1858 of the Political Code, relating to the apportionment of school funds and to school attendance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 463—An act to amend section 5 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, relating to payment of part time teachers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 921—An act to amend section 1775 of the Political Code, relating to certification of teachers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1207—An act to add new sections to article XIc of chapter III of title I of part III of the Political Code, to be numbered sections 362g, 362h and 362i of said code, creating a Division of Libraries in the Department of Education and providing for the administration thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1230—An act providing for the investigation of the supplementary books used in the elementary schools of the State

by the Board of Education and requiring a report thereon to be made by said board to the State Board of Control.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 260—An act to amend section 1608 of the Political Code, relating to the sale of the personal property belonging to school districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 26, of the printed bill, following the period insert the following: "All money received from such sale shall be placed to the credit of the fund from which the original expenditure for the purchase of such property was made."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1259—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1253—An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, as amended April 5, 1927, strike out the following: "such matters and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 5, 1927, lines 10 to 15 inclusive, strike out beginning with the word "The", in line 10, to and including the word "duties", in line 15.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, as amended April 5, 1927, after the word "compensation", add the following: "of such inspectors and other employees and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 20, of the printed bill, as amended April 5, 1927, after the word "division", add the following: "The said inspectors of the division of narcotic enforcement shall have all the powers and duties of peace officers in the performance of their duties, and shall be exempt from the provisions of the civil service laws of this state."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District"; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose, and declaring this act to be an emergency measure.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 883 to Senator Boggs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 12 of the printed bill, strike out lines 24 to 46, both inclusive, and insert in lieu thereof the following: "county."

## AMENDMENT NUMBER TWO.

On page 12, line 47, of the printed bill, strike out the figures "20", and insert in lieu thereof the figures "19".

## AMENDMENT NUMBER THREE.

On page 13, line 6, of the printed bill, strike out the figures "21", and insert in lieu thereof the figures "20".

## AMENDMENT NUMBER FOUR.

On page 13, line 40, of the printed bill, strike out the figures "22", and insert in lieu thereof the figures "21".

## AMENDMENT NUMBER FIVE.

On page 14, line 3, of the printed bill, strike out the figures "23", and insert in lieu thereof the figures "22".

## AMENDMENT NUMBER SIX.

On page 14, line 35, of the printed bill, strike out the figures "24", and insert in lieu thereof the figures "23".

## AMENDMENT NUMBER SEVEN.

On page 14, line 49, of the printed bill, strike out the figures "25", and insert in lieu thereof the figures "24".

## AMENDMENT NUMBER EIGHT.

On page 15, line 8, of the printed bill, strike out the figures "26", and insert in lieu thereof the figures "25".



## AMENDMENT NUMBER NINE.

On page 15, line 16, of the printed bill, strike out the figures "27", and insert in lieu thereof the figures "26".

## AMENDMENT NUMBER TEN.

On page 15, line 24, of the printed bill, strike out the figures "28", and insert in lieu thereof the figures "27".

## AMENDMENT NUMBER ELEVEN.

On page 15, line 26, of the printed bill, strike out the figures "29", and insert in lieu thereof the figures "28".

## AMENDMENT NUMBER TWELVE.

On page 15 of the printed bill, strike out lines 30 to 45, both inclusive.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 883, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Inman adopted.  
Bill ordered to print and re-engrossment.

## LEAVE OF ABSENCE.

Senator Young was, on motion of Senator Weller, granted leave of absence for the remainder of this day.

Senate Bill No. 884—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*ag*, inclusive, and relating to the formation of corporations to receive bequests, gifts and donations and administer the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 884 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the district courts of appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 571 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3a and 3b, respectively, relating to licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 107 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Maloney:

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:  
An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended.

Request referred to Committee on Rules.

#### PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and twenty minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 803—An act to amend chapter IV of title I of part III of the Political Code by amending section 726 thereof and adding thereto a new section to be known as 727, to relate to the Judicial Council and the duty of county clerks and clerks of the various courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 803 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 318 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Waggy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 764 to Senator Swing, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, as amended, after the word "in", insert the following words: "the State of California to be administered through".

##### AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, as amended, strike out the word "twenty", and insert in lieu thereof the word "ten".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 764, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 809—An act to amend section 737*w* of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 809 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 2—An act to amend section 738*c* of the Political Code, relating to the salaries of the judges of the superior court of the county of Monterey.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 2 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Waggy, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR GRAY IN THE CHAIR.

At two o'clock and thirty-three minutes p.m., Senator Gray of the Twenty-eighth District was called to the chair.

Senate Bill No. 46—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of an additional judge and the manner of payment of his compensation

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and Weller—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 741—An act to add a new section, to be numbered 13, to an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the collection of facts, information, and statistics to promote the education, employment and general welfare of the deaf.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 741 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 236—An act to add a new section to the Political Code, to be numbered section 737r, relating to the salaries of the judges of the superior courts of the county of Riverside.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 236 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Canepa, Christian, Cobb, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller 24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 763—An act to amend section 737*g* of the Political Code, relating to the salary of the superior judge in Santa Cruz County.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Senate Bill No. 763 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

After the words "An act" in line 1 of the title of the printed bill, strike out all the balance of title and insert the following: "to add a new section to the Political Code to be known as section seven thirty-eight *bl*, relating to the salary of the superior judge of Mendocino county".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, amended April 14, 1927, after the period following the figure "1", strike out all of balance of said line and all of line 2, and insert, "A new section is hereby added to the Political Code to be known as section 738*bl*, to read as follows:".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended April 14, 1927, strike out figure "7" second appearing therein, and letter "a" following said figure, and insert in lieu thereof the following: "8*bl*".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 763, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 804—An act to amend section 737*b* of the Political Code, relating to salaries of the judges of the superior court of the county of Imperial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 804 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 886—An act to amend section 3804 of the Political Code, relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 886 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Gray, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hollister moved to refer Senate Bill No. 354, as amended April 15, 1927, to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, as amended April 15, 1927, after the word "that", insert the following: "the damage was caused by".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 354, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Hollister adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 888—An act to provide for a survey of the works on the Santa Ana River watershed and basin for flood control, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 888 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 621—An act making an appropriation to pay the claim of Edward J. Kelly against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 621 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 649—An act making an appropriation to pay the claim of Richard Kittrelle against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 649 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 508—An act appropriating money to pay the claim of Percy E. Towne and Peter A. Breen against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 508 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 58 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF SENATE BILL.

Senator Boggs asked for and was granted unanimous consent to withdraw Senate Bill No. 1229 from Committee on Agriculture and Live Stock and re-refer it to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 492—An act to amend section 900 of the Code of Civil Procedure, relating to judgment lien in justice's court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 492 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 630—An act to amend section 10 of the Political Code, referring to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 630 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 384—An act to amend section 3818 of the Political Code, relating to partial redemptions from sales to State for delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 384 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 763—An act to amend sections 1357 and 1359 of the Political Code, relating to absent voters.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 763 passed by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Wag, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1170—An act to add a new section to the Political Code, to be numbered 1197c, relating to a means of distinguishing between similar names on the ballot.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1170 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wag, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 108—An act to amend section 4264 of the Political Code, relating to the salaries of county officers of the counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 108 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 133—An act to amend sections 2322, 21 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class, and second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 133 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Inman, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 149—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Assembly Bill No. 149 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 3 and 4, and insert in lieu thereof the following:

"12. The surveyor, four hundred dollars per annum".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 149, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read, and on motion of Senator Garrison adopted.

Bill ordered to print.

Assembly Bill No. 211—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 211 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, and Wagy—28

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1120—An act to amend sections 1517, 1518, 1519, 1519a, 1520 and 1521 of the Political Code, relating to State educational officers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Swing moved to refer Assembly Bill No. 1120 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the last line of the title of the printed bill, as amended in the Senate on April 14, 1927, strike out the period, and insert in lieu thereof a comma, and add the following: "and to add a new section to the Political Code to be numbered one thousand five hundred twenty-two."

AMENDMENT NUMBER TWO.

On page 7, line 9, of the printed bill, as amended, strike out the word "assistants", and insert in lieu thereof the word "persons".

AMENDMENT NUMBER THREE.

On page 7, line 26, of the printed bill, as amended April 14, 1927, before the word "The", insert the following: "1520. First—".

## AMENDMENT NUMBER FOUR.

On page 7, line 28, of the printed bill, as amended April 14, 1927, strike out the following: "First—".

## AMENDMENT NUMBER FIVE.

On page 7, line 44, of the printed bill, as amended April 14, 1927, strike out the comma, and insert in lieu thereof a period; and strike out the words "but such salaries", and also strike out all of lines 45 and 46.

## AMENDMENT NUMBER SIX.

On page 8 of the printed bill, as amended April 14, 1927, following line 5, add the following:

SEC. 7. A new section is hereby added to the Political Code to be numbered 1522 to read as follows:

1522. From and after the date upon which this act takes effect, the department of education shall be and is hereby authorized and empowered to expend the moneys in any appropriation heretofore or hereafter made for the support of the state board of education.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1120, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print.

Assembly Bill No. 253—An act to amend section 4279 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 253 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 258—An act to amend section 1916 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the sixteenth class and providing an additional assistant probation officer in counties of said class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 258 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Waggy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 310—An act confirming and validating the boundaries of counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 310 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 398—An act to amend section 2322r16 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies and inspectors in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 398 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Murphy, Pedrotti, Slater, Swing, Tubbs, Wag, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 400—An act to amend section 2322r29 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies, inspectors, and clerk of the counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 400 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wag, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 467—An act to amend section 4272 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 467 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C.,



Jones, Ray; Lyon, Maloney, McKinley, Murphy, Rush, Slater, Swing, Taylor, Wagy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 509—An act to amend section 4300i of the Political Code, relating to fees of the public administrator.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 509 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 565—An act to amend section 2322, 41 of the Political Code, relating to the salaries of the horticultural commissioner, inspectors and clerks in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 565 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 672—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 672 to Senator Sharkey, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 4, line 26, of the printed bill, strike out the words "outside of the county seat".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 672, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Special Committee.

Report read, and on motion of Senator Boggs adopted.

Bill ordered to print.

Assembly Bill No. 706—An act to amend section 2322.r31 of the Political Code, relating to the creation of deputies of the horticultural commissioner for the counties of the thirty-first class and the fixing of their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 706 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 741—An act to amend section 2322.r15 of the Political Code, relating to salary and compensation of horticultural commissioner in counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 741 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 717—An act to amend section 2322.r12 of the Political Code, relating to expenses, fees and salaries of the horticultural commissioner, his deputies, assistants, and inspectors and fixing the number thereof, in counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 717 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 743—An act to amend section 4244 of the Political Code, relative to fees and compensation of officers in the counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 743 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 749—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 749 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1127—An act to amend an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School, and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 15, 1915, relating to salaries of probation officers in counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1127 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1157—An act to add a new section to the "Weights and Measures Act," approved June 16, 1913, as amended, to be numbered 16r2, relating to the salaries of the sealer of weight and measures and deputies in counties of the second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1157 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Slater, Tubbs, and Wagy—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 652—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 652 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Fellom, Garrison, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Sharkey, Slater, Swing, Tubbs, and Wagy—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 656—An act to amend section 4273 of the Political Code, relating to fees and salaries of officers in counties of the forty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 656 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Cobb, Fellom, Garrison, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Sharkey, Slater, Swing, Tubbs, and Wagy—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 757—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Assembly Bill No. 757, as amended March 11, 1927, and April 11, 1927, to Senator Mueller, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "equal monthly installments; one chief criminal deputy sheriff".

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 757, with instructions to amend, respectfully reports the same back, amended as per instructions.\*

MUELLER, Special Committee.

Report read, and on motion of Senator Garrison adopted.

Bill ordered to print.

Assembly Bill No. 1245—An act to aid improvement, drainage and reclamation by authorizing certain improvement in and about the city of San Diego and as a means thereof creating a reclamation district to be called and known as the "Bayside Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1245 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 851—An act to amend section 8 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, as amended, relating to the filing of certificates for the practice of optometry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 851 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 852—An act to amend section 15 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matters of said regulations,' approved March 14, 1907, and

acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 852 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagye, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1216—An act to amend section 6 of an act entitled "An act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof," approved April 16, 1915, as amended, relating to the application and payment of fees for licenses, registration of licentiates and payment of fees for such registrations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1216 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Wagye, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 478—An act to amend section 764 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, and to add a new section to said act, to be numbered 752c, relating to powers of boards of trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 478 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Wagye, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 518—An act to amend section 164 of the Civil Code, relating to community property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 518 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Wagy, and Weller—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At four o'clock and thirty-eight minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 520—An act to amend section 1207 of the Civil Code of the State of California, providing for the effect of defectively acknowledged and recorded instruments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 520 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—28.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 521—An act to amend section 1263 of the Civil Code of the State of California, providing what the declaration of homestead of the head of a family must contain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 521 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy and Weller—26.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 522—An act to amend section 1267 of the Civil Code of the State of California, providing what the declaration of homestead of a person other than the head of a family must contain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 522 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 523—An act to amend section 671 of the Code of Civil Procedure, relating to the docketing of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 523 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 630 was passed.

Assembly Bill No. 524—An act to amend section 674 of the Code of Civil Procedure, relating to the recording of copy of judgments, providing for the lien thereof and the extent of such lien.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 524 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, Ray; Lyon, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—27.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 529 passed by the following vote:

AYES—Senators, Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—28.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 530—An act to amend section 1578 of the Code of Civil Procedure, relating to the manner of obtaining authority to mortgage or execute a deed of trust of the property of estate of decedents or of persons under guardianship.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 530 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 531—An act to amend section 1579 of the Code of Civil Procedure, relating to the manner of obtaining an order to lease the real property of the estate of a decedent or of a person under guardian.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 531 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 532—An act to amend section 1580 of the Code of Civil Procedure, relating to the sale of mining property of the estate of a decedent or of a person under guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 532 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 535—An act to amend section 1788 of the Code of Civil Procedure, relating to the giving of a bond of guardian before selling or encumbering the estate of a person under guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 535 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## NOTICE OF MOTION TO RECONSIDER.

Senator Swing gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 529 was passed.

Assembly Bill No. 994—An act to amend section 12 of the act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor," approved June 1, 1917.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mueller moved to refer Assembly Bill No. 994, as amended April 6, 1927, to Senator Garrison, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In line 17 of the title of the printed bill, as amended April 6, 1927, strike out the period, and insert in lieu thereof the following: "and to the appointment of deputies in the real estate department".

## AMENDMENT NUMBER TWO.

On page 3, line 24, of the printed bill, as amended, strike out the following words: "and he shall from time to time obtain the", and also strike out all of lines 22 to 26, inclusive, and insert in lieu thereof the following words: "subject to the approval of the department of finance. In the real estate department, in addition to exemptions authorized and prescribed by other provisions of law, the positions of two deputies, to be designated by the real estate commissioner, shall be exempt from the provision of the civil service law."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 994, with instructions to amend, respectfully reports the same back, amended as per instructions.

GARRISON, Special Committee.

Report read, and on motion of Senator Mueller adopted.

Bill ordered to print.

Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of twenty-fifth class.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 417, as amended March 14, 1927, and April 4, 1927, and April 11, 1927, to Senator Boggs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 45, of the printed bill, strike out the words "per month each", and insert in lieu thereof the following: "per month, each, and a sum not to exceed six hundred dollars in any one year for such additional clerk hire as may be necessary,".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 417, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.  
Bill ordered to print.

Assembly Bill No. 1232—An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State and to charge a fee or fees therefor or to lease or grant franchise in real property for such purpose and to acquire, construct, and maintain land and buildings for such purpose.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 1232 to Senator Pedrotti, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in the Assembly April 1, 1927, in line 21, strike out the comma after the word "for", and all the balance of the line, and all of line 22 down to and including the word "or" the second time it occurs.

## AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended in the Assembly April 1, 1927, in line 25, strike out "or for the improvement thereof," and in line 26 strike out "acquiring or".

## AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended in the Assembly April 1, 1927, in line 27, strike out "acquired or", and strike out the comma after "improved".

## AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended in the Assembly April 1, 1927, in line 35, strike out "any", and insert in lieu thereof "and".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1232, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDROTTI, Special Committee.

Report read, and on motion of Senator Lyon adopted.  
Bill ordered to print.

## APPOINTMENT BY THE PRESIDENT.

In accordance with Senate Concurrent Resolution No. 15—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California—the President announced the appointment of Senators Pedrotti and Gray.

Assembly Bill No. 853—An act to amend section 8 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 853 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, and Weller—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a conference committee on Assembly Bill No. 263 the following Assemblymen: Snyder, Noyes and Deuel, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the conference report concerning Assembly Bill No. 263. An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended recommending the appointment of a Free Conference Committee and the following Assemblymen were appointed: Scudder, Adams and Fisher, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 52—An act to amend section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office:

Also: Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the judicial council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

##### ON RULES.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Bill No. 206—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof:

Also: Assembly Bill No. 394—An act to amend section 2 of an act entitled "An act to provide for the compilation, printing, binding, publishing, and distribution of



a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof, approved June 22, 1923, relating to the distribution of the State Blue Book; has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

Assembly Bills Nos. 206 and 394 ordered on file for second reading.

#### ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1175—An act providing for the building of a causeway across the Sutter By-pass in Sutter County, State of California, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

(Signed out)

RUSH, Chairman.

JONES, RAY.

COBB.

BOGGS.

GRAY.

MALONEY.

GARRISON.

INMAN.

Assembly Bill No. 1175 ordered re-referred to Committee on Finance.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 185—An act to add six new sections to the Political Code to be numbered 2979b, 2979c, 2979d, 2979e, 2982a, 4041d, relating to the care, treatment, transportation and physical rehabilitation of physically defective and handicapped persons, under the age of eighteen years, by the State of California, by and under the direction and supervision of the State Board of Health and by and under the direction of county boards of supervisors and making an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 185 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1210—An act relating to the holding of the Tenth Olympiad in California, providing for the issuance and sale of State bonds to be known as "California Tenth Olympiad Bonds," providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditure of the moneys in said fund for the said purposes, creating a commission to be known as the "California Olympiad Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1210 read first time, and referred to Committee on Finance.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 799—An act to amend section 592 of the Political Code, relating to the place of the office of the Insurance Commissioner—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

SWING, Chairman.

BREED.

McKINLEY.

CHRISTIAN.

INGRAM.

JONES, H. C.

JOHNSON.

COBB.

WELLER.

ALLEN, N. M.

Senate Bill No. 799 ordered on file for second reading.

## ADJOURNMENT.

At five o'clock and fifteen minutes p.m., on motion of Senator Slater, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, April 19, 1927.

## IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, April 19, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—39.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 18, 1927, the further reading was dispensed with, on motion of Senator Rush.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Walter Bowers of Los Angeles.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. C. A. Griffith of Azusa, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Chris B. Johnson of Oakland, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Joseph Rines of Solano County.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 11 amended, and on this day passed as amended, Senate Bill No. 6—An act to amend section 4280 of the Political Code, relating to the compensation of officers in counties of the fifty-first class—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 6—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX.

##### AMENDMENT NUMBER ONE.

On page 7 of the printed bill, as amended March 7, 1927, strike out lines 8 and 9, and insert in lieu thereof the following:

12. The county surveyor, the sum of ten dollars per day for all work performed for the county: *provided*, that in counties of the fifty-first class the board of supervisors shall provide the county surveyor with a suitable office, office furniture, heat, light and care for the same, office and record books and other necessary material, and also all necessary expenses and transportation on work performed in the field.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 6?

The roll was called, and Assembly amendment to Senate Bill No. 6 concurred in by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, Pedrotti, Slater, Waggy, West, and Young—21.

NOES—None.

Also:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1206—An act to amend section 737*d* of the Political Code and to add a new section to said code, to be numbered 737*f*, relating to salaries of judges of the superior court;

Also: Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use;

Also: Assembly Bill No. 1251—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 1206 and 1242 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1251 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 881—An act to amend section 737c of the Political Code, relating to the salary of the judges of the superior court in the county of San Mateo:

Also: Assembly Bill No. 920—An act to amend sections 514, 515 and 516 of the Political Code, relating to the Superintendent of Public Instruction;

Also: Assembly Bill No. 1059—An act to appropriate moneys for the construction of parts of the State Highway System by the use of convict labor;

Also: Assembly Bill No. 1079—An act to repeal section 2300 of the Political Code, relating to the State Library fund, disposing of the balance in said fund;

Also: Assembly Bill No. 1169—An act making an appropriation to meet a deficiency in the appropriation for subsidies, of the Bureau of Tuberculosis of the State Board of Health.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 881 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 920 read first time, and referred to Committee on Education.

Assembly Bill No. 1059 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 1079 and 1169 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 161—An act increasing the number of judges of the superior court of the State of California, in and for the county of Santa Barbara, and providing for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 657—An act to add a new section to the Political Code, to be numbered 737x, relating to the salary of the judge of the superior court in and for the county of Modoc;

Also: Assembly Bill No. 729—An act to amend section 737g of the Political Code, relating to the salaries of the judges of the superior court of the county of Santa Cruz;

Also: Assembly Bill No. 809—An act regulating the weighing of agricultural products, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing the penalties for violation of the provisions hereof, defining the duty of warehouse operators, establishing the terminal weighing fund, and making an appropriation to carry out the provisions of this act;

Also: Assembly Bill No. 874—An act to amend section 2322x17 of the Political Code, relating to the compensation and expenses of county horticulture commissioners, deputies, inspectors and clerks in counties of the seventeenth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 161, 657 and 729 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 809 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 874 read first time, and referred to Committee on County Government.



## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing, has examined Senate Bill No. 805—An act to amend section 749, 755 and 756 of the Political Code, and to provide for the appointment, employment and compensation of phonographic reporters, assistants, secretaries and librarian and other employees of the Supreme Court of the State of California, and for the salaries and expenses incurred by the said court under the provisions of this act, and making an appropriation therefor, and to amend section 767 of the Political Code to provide for the salaries of the reporter and assistant reporters of the decisions of the Supreme Court and the district courts of appeal, and repealing sections 739, 751½, 769, 770, 2313, 2314, 2315 and 2316 of the Political Code, and sections 265, 266 and 268 of the Code of Civil Procedure;

Also: Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way and easements of the public, including any right of way of which immediate possession and use has been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements;

Also: Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents;

Also: Senate Bill No. 873—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject; and repealing acts inconsistent herewith;

Also: Senate Bill No. 356—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

## ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 25—An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled "An act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, and all other acts or parts of acts in conflict herewith;

Also: Assembly Bill No. 185—An act to add six new sections to the Political Code to be numbered 2979b, 2979c, 2979d, 2979e, 2982a, 4041d, relating to the care,

treatment, transportation and physical rehabilitation of physically defective and handicapped persons, under the age of eighteen years, by the State of California, by and under the direction and supervision of the State Board of Health and by and under the direction of county boards of supervisors and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—7; absent—4.

CROWLEY, Chairman.

Assembly Bills Nos. 25 and 185 ordered re-referred to Committee on Finance.

#### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 744—An act to amend sections 5, 6 and 37 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—4; absent—3.

EVANS, Chairman.

Assembly Bill No. 744 ordered on file for second reading.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 799—An act to amend section 592 of the Political Code, relating to the place of the office of the Insurance Commissioner.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word and period "Sacramento.", and insert in lieu thereof the following: "San Francisco and shall also keep an office in the city of Sacramento."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 759—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss or injury to the same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1129—An act to amend section 10 of an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations

and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913, relating to the disposition of funds.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the comma after the word "thereof", and the following: "except appropriations",.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, strike out the period, and insert in lieu thereof the following: ", except appropriations and moneys received under the provisions of an act entitled 'An act establishing and creating a department of the state mining bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act'". (Approved June 10, 1915, and all amendments thereto.)

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 189—An act to amend section 384a of the Penal Code, relating to the protection of the Christmas red berry and Christmas tree.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 206—An act to amend section 2 of an act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof, approved June 22, 1923, relating to the distribution of the State Blue Book.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 394—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 395—An act to amend section 190 of the Penal Code, relating to murder in the second degree.

Bill read second time, and ordered on file for third reading.

#### REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Conference, concerning Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended—reports that it has met a like committee of the Assembly, consisting of Assemblymen Snyder, Noyes and Deuel, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

HANDY,

BOGGS,

JONES, H. C.,

Senate Committee on Conference.

#### COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Weller, Chamberlin and Allen, N. M., as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 263.

The Secretary was directed to notify the Assembly of the appointment of Committee on Free Conference.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 103—An act to add a new section to the Political Code, to be numbered 737w, relating to the salary of the superior court judge of the county of Del Norte.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 103 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Kline, Maloney, Mueller, Nelson, Pedrotti, Rush, Slater, Tubbs, Waggy, West, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Senate Bill No. 701—An act to amend the Political Code by adding thereto a section to be known as section 633aa, relating to license to act as life insurance broker.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Kline, Maloney, Mueller, Nelson, Pedrotti, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 368—An act to amend section 1288 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 368 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Jones, Ray, Kline, Maloney, Mueller, Pedrotti, Rush, Slater, Tubbs, West, and Young—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 873—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject; and repealing acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 873 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Kline, Maloney, Mueller, Nelson, Pedrotti, Slater, Tubbs, Waggy, West, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Inman moved to reconsider the vote whereby Assembly Bill No. 630 was passed.

Assembly Bill No. 630—An act to amend section 10 of the Political Code, referring to holidays.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 630 was passed carried by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, Mueller, Nelson, Pedrotti, Rush, Slater, Tubbs, Wagy, West, and Young—26.

NOES—None.

Assembly Bill No. 630 ordered on unfinished business file.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 34—An act to amend sections 1 and 2 of an act entitled "An act to regulate advertisements and solicitations for employees during strikes, lockouts and other labor troubles," approved June 7, 1913, by making its application universal, prescribing penalties for violation thereof, and making it mandatory to insert in such advertisements the name of the person, firm, association or corporation placing the advertisement and making the appearance of this name in connection with the advertisement prima facie evidence as to the person, firm or corporation responsible for the advertisement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 34 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1081—An act to amend section 2322.5 of the Political Code, relating to salaries of county horticultural commissioner, inspectors and clerks in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1081 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## COMMUNICATION.

The following communication was received, and on motion of Senator Maloney, duly seconded by Senator Murphy, ordered printed in the Journal:

THE SOUTH OF MARKET BOYS.

SAN FRANCISCO, CALIFORNIA, April 17, 1927.

Buron Fitts,  
Lieutenant Governor,  
Sacramento, California.

Under separate cover we are sending you invitation to attend our "Twenty-one Years After" celebration at the Civic Auditorium, San Francisco, on Saturday, April the twenty-third, at eight o'clock p.m. and urge you to have the Legislature complete its business and adjourn in time for the San Francisco delegation and our many friends in Sacramento to attend.

THE SOUTH OF MARKET BOYS.  
THOMAS P. GARRITY, President.  
JAMES F. SMITH, Chairman.

## MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Swing moved to reconsider the vote whereby Assembly Bill No. 529 was passed.

Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 529 was passed carried by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

Bill read third time previously.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Chamberlin moved to refer Assembly Bill No. 529 to Senator Weller, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the comma following the word "thereof", insert the following: "for a longer term than one (1) year,".

## AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, after the comma following the word "thereof", insert the following: "for a longer term than one (1) year,".

## AMENDMENT NUMBER THREE.

On page 1, line 25, of the printed bill, strike out the period following the word "thereof", and insert in lieu thereof a semicolon and the following: "provided, however, that the executor or administrator or guardian of any estate may, without order of court, make and enter into a lease of any real property, or any part thereof, of his decedent or ward, for a period not exceeding one (1) year".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 529, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Chamberlin adopted.  
Bill ordered to print.

## THIRD READING OF SENATE BILLS—(RESUMED).

## SENATE CONSTITUTIONAL AMENDMENT No. 27.

A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors.

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California at its forty-seventh regular session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 5 of article XI of the constitution be amended to read as follows:

Sec. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to duties, and may also establish fees to be charged and collected by such officers for services performed in their respective offices, in the manner and for the uses provided by law, and for this purpose may classify the counties by population; and it shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them, or officially come into their possession. It may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made.

## Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 27 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, McKimley, Mueller, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

## Title read and approved.

Senate Constitutional Amendment No. 27 ordered transmitted to the Assembly.

Senate Bill No. 805—An act to amend sections 749, 755 and 756 of the Political Code, and to provide for the appointment, employment and compensation of phonographic reporters, assistants, secretaries and librarian and other employees of the Supreme Court of the State of California, and for the salaries and expenses incurred by the said court under the provisions of this act, and making an appropriation therefor, and to amend section 767 of the Political Code to provide for the salaries of the reporter and assistant reporters of the decisions of the Supreme Court and the district courts of appeal, and repealing sections 739, 751½, 769, 770, 2313, 2314, 2315 and 2316 of the Political Code, and sections 265, 266 and 268 of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Senate Bill No. 805 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Nelson, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

#### TITLE AMENDED.

Senator Jones, H. C., moved to amend the title of Senate Bill No. 805 by adding thereto the following:

#### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 14, 1927, after the word "act", insert the following: "relating to the supreme court,".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

#### SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way and easements of the public, including any right of way of which immediate possession and use has been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 510 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the district courts of appeal;

Also: Senate Bill No. 218—An act appropriating money to be expended by the Reclamation Board for general administrative purposes;

Also: Senate Bill No. 427—An act to authorize the Governor to appoint a commission to prepare the plans and to select the site for a separate penal institution for women offenders;

Also: Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing, has examined Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443 and 1760 of the Political Code, relating to education, and making an appropriation therefor—and reports the same has been correctly re-engrossed.

JONES, RAY, Chairman.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443 and 1760 of the Political Code, relating to education, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 630 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

## SENATE CONSTITUTIONAL AMENDMENT No. 12.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by repealing the first numbered section 11 of article VI, proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 4, 1924, by amending sections 3, 4, 5 and 13 of said article and by adding to said article new sections to be numbered 4a, 4b, 4c and 11a, relating to courts of record and inferior courts.

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California, at its forty-seventh session, commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California the following amendments to the constitution of the State of California:

First—Section 11 of article VI proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 11, 1924, is hereby repealed.

Second—Section 3 of article VI is hereby amended to read as follows:

Sec. 3. The chief justice and the associate justices shall be elected by the qualified electors of the State at large at the general election, at the time and places

at which State officers are elected, except as provided by section 24 of article II of this constitution, and the term of office shall be twelve years from and after the first day of January next succeeding their election. If a vacancy occur in the office of a justice, the Governor shall appoint a person to hold the office until the election and qualification of a justice to fill the vacancy, which election shall take place at the next succeeding general state or primary election after the first day of April next succeeding the occurrence of such vacancy; the justice then elected shall hold office for the unexpired term; *provided*, that whenever the term of office of the justice whose place is filled by appointment is fixed by law to expire on the first day of January after the next or succeeding general election, then the person so appointed to fill the vacancy shall hold office for the remainder of such unexpired term.

Third—Section 4 of article VI of said constitution is hereby amended to read as follows:

Sec. 4. The supreme court shall have appellate jurisdiction on appeal from the superior courts in all cases in equity, except such as arise in municipal or justices' courts; also, in all cases at law which involve the title or possession of real estate, or the legality of any tax, impost, assessment, toll, or municipal fine also, in all such probate matters as may be provided by law; also, on questions of law alone, in all criminal cases where judgment of death has been rendered; the said court shall also have appellate jurisdiction in all cases, matters and proceedings pending before a district court of appeal, which shall be ordered by the supreme court to be transferred to itself for hearing and decision, as hereinafter provided. The said court shall also have power to issue writs of mandamus, certiorari, prohibition, and habeas corpus, and all other writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the state, upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the supreme court or before any district court of appeal, or before any justice thereof, or before any superior court in the State, or before any judge thereof.

Fourth—A new section to be numbered section 4a of article VI is hereby added to said constitution to read as follows:

Sec. 4a. The State is hereby divided into three appellate districts, in each of which there shall be a district court of appeal, consisting of such number of divisions having three justices each as the Legislature shall determine; and until so determined otherwise, the courts of appeal for the first and second appellate districts shall each consist of two divisions, and the court of the third appellate district shall consist of one division.

The Legislature may from time to time create and establish additional district courts of appeal and divisions thereof and fix the places at which the regular sessions thereof shall be held and may provide for the maintenance and operation thereof. For that purpose the Legislature may redivide the State into appellate districts, subject to the power of the supreme court to remove one or more counties from one appellate district to another as in this section provided.

Each of such divisions shall have and exercise all of the powers of the district court of appeal.

The district court of appeal as existing immediately prior to the approval and ratification of this amendment by the people shall not be affected thereby as to the officers or terms of office of the justices thereof.

Upon the creation of any additional division of the district court of appeal the governor shall appoint three persons to serve as justices thereof until the first day of January after the next general election. The justices of said division elected at such general election shall so classify themselves by lot that one of them shall go out of office at the end of four years, one of them at the end of eight years, and one of them at the end of twelve years, and entry of such classification shall be made in the minutes of said division, signed by the three justices thereof, and a duplicate thereof filed in the office of the Secretary of State.

The justices of the district courts of appeal shall be elected by the qualified electors within their respective districts at the general State elections except as provided in section 24 of article II; and the term of office of said justices shall be twelve years from and after the first day of January next succeeding their election.

If any vacancy occur in the office of a justice of the district courts of appeal, the governor shall appoint a person to hold office until the election and qualification of a justice to fill the vacancy. Such election shall take place at the next succeeding general State or primary election after the first day of April next succeeding the occurrence of such vacancy; the justice then elected shall hold office for the unexpired term; *provided*, that whenever the term of office of the justice whose place is filled by appointment is fixed by law to expire on the first day of January after the next or such succeeding general election then the person so appointed to fill the vacancy shall hold office for the remainder of such unexpired term.

One of the justices of each of the district courts of appeal, and of each division of said courts, shall be the presiding justice thereof, and as such shall be appointed or elected, as the case may be.



In cases wherein the presiding justice is not acting, the other justices shall designate one of their number to perform the duties and exercise the powers of presiding justice.

The presence of two justices shall be necessary for the transaction of any business by such court except such as may be done at chambers, and the concurrence of two justices shall be necessary to pronounce a judgment.

No appeal taken to the supreme court or to a district court of appeal shall be dismissed for the reason only that the same was not taken to the proper court, but the cause shall be transferred to the proper court upon such terms as to costs or otherwise as may be just, and shall be proceeded with therein as if regularly appealed thereto.

All statutes now in force allowing, providing for or regulating appeals to the supreme court shall apply to appeals to the district courts of appeal so far as such statutes are not inconsistent with this article and until the Legislature shall otherwise provide.

The first district shall embrace the following counties: San Francisco, Marin, Contra Costa, Alameda, San Mateo, Santa Clara, Fresno, Santa Cruz, Monterey and San Benito.

The second district shall embrace the following counties: Tulare, Kings, San Luis Obispo, Kern, Inyo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego and Imperial.

The third district shall embrace the following counties: Del Norte, Siskiyou, Modoc, Humboldt, Trinity, Shasta, Lassen, Tehama, Plumas, Mendocino, Lake, Colusa, Glenn, Butte, Sierra, Sutter, Yuba, Nevada, Sonoma, Napa, Yolo, Placer, Solano, Sacramento, El Dorado, San Joaquin, Amador, Calaveras, Stanislaus, Mariposa, Madera, Merced, Tuolumne, Alpine and Mono.

The supreme court, by orders entered in its minutes, may from time to time remove one or more counties from one appellate district to another, but no county not contiguous to another county of a district shall be added to such district.

Said district courts of appeal shall hold their regular sessions respectively at San Francisco, Los Angeles and Sacramento, and they shall always be open for the transaction of business.

Fifth—A new section to be numbered section 4b of article VI is hereby added to said constitution to read as follows:

Sec. 4b. The district courts of appeal shall have appellate jurisdiction on appeal from the superior courts (except in cases in which appellate jurisdiction is given to the supreme court) in all cases at law in which the superior courts are given original jurisdiction; also, in all cases of forcible or unlawful entry or detainer (except such as arise in municipal or in justices' or other inferior courts); in proceedings in insolvency; in actions to prevent or abate a nuisance; in proceedings of mandamus, certiorari, prohibition, usurpation of office, removal from office, contesting elections, eminent domain, and in such other special proceedings as may be provided by law; also, on questions of law alone, in all criminal cases prosecuted by indictment or information, except where judgment of death has been rendered.

The said court shall also have appellate jurisdiction in all cases, matters, and proceedings pending before the supreme court which shall be ordered by the supreme court to be transferred to a district court of appeal for hearing and decision. The said courts shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and all other writs necessary or proper to the complete exercise of their appellate jurisdiction. Each of the justices thereof shall have power to issue writs of habeas corpus to any part of his appellate district upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the district court of appeal of his district, or before any superior court within his district, or before any judge thereof.

Sixth—A new section to be numbered section 4c of article VI is hereby added to said constitution to read as follows:

The supreme court shall have power to order any cause pending before the supreme court to be heard and determined by a district court of appeal, and to order any cause pending before a district court of appeal to be heard and determined by the supreme court. The order last mentioned may be made before judgment has been pronounced by a district court of appeal, or within fifteen days in criminal cases, or thirty days in all other cases, after such judgment shall have become final therein. The judgment of the district courts of appeal shall become final therein upon the expiration of fifteen days in criminal cases, or thirty days in all other cases, after the same shall have been pronounced.

The supreme court shall have power to order causes pending before a district court of appeal for one district to be transferred to the district court of appeal for another district, or from one division thereof to another, for hearing and decision.

Section 5 of article VI of said constitution is hereby amended to read as follows:

Sec. 5. The superior courts shall have original jurisdiction in all civil cases and proceedings (except as in this article otherwise provided, and except, also cases and proceedings in which jurisdiction is or shall be given by law to municipal or to justices or other inferior courts); in all criminal cases amounting to felony, and



cases of misdemeanor not otherwise provided for; and of all such special cases and proceedings as are not otherwise provided for; and said court shall have the power of naturalization and to issue papers therefor.

The superior courts shall have appellate jurisdiction in such cases arising in municipal and in justices' and other inferior courts in their respective counties or cities and counties as may be prescribed by law. The Legislature may, in addition to any other appellate jurisdiction of the superior courts, also provide for the establishment of appellate departments of the superior court in any county or city and county wherein any municipal court is established, and for the constitution, regulation, jurisdiction, government and procedure of such appellate department. Superior courts, municipal courts and justices' courts in cities having a population of more than forty thousand inhabitants shall always be open, legal holidays and non-judicial days excepted. The process of superior courts shall extend to all parts of the state; *provided*, that all actions for the recovery of the possession of, quieting the title to, or for the enforcement of liens upon real estate, shall be commenced in the county in which the real estate, or any part thereof, affected by such action or actions, is situated. Said superior courts, and their judges shall have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus on petition by or on behalf of any person in actual custody, in their respective counties. Injunctions and writs of prohibition may be issued and served on legal holidays and nonjudicial days. The process of any municipal court shall extend to all parts of the county or city and county in which the city is situated where such court is established, and to such other parts of the State as may be provided by law, and such process may be executed or enforced in such manner as the Legislature shall provide.

Upon stipulation of the parties litigant or their attorneys of record a cause in the superior court or in a municipal court may be tried by a judge pro tempore who must be a member of the bar sworn to try the cause, and who shall be empowered to act in such capacity in the cause tried before him until the final determination thereof. The selection of such judge pro tempore shall be subject to the approval and order of the court in which said cause is pending and shall also be subject to such regulations and orders as may be prescribed by the judicial council.

Seventh—A new section to be numbered 11a of article VI is hereby added to said constitution to read as follows:

Sec. 11a. The Legislature shall determine, according to population, the number and jurisdiction of each of the inferior courts in incorporated cities or towns wherein there is no municipal court, and in townships, counties or cities and counties, and the number of judges or justices thereof and their qualifications and compensation, and shall fix by law the powers, duties and responsibilities of each of such courts and of the judges or justices thereof; and may provide that the jurisdiction of such courts shall be exclusive.

Eighth—Section 13 of article VI is hereby amended to read as follows:

Sec. 13. Notwithstanding any provision contained in this article, the Legislature may fix by law the jurisdiction of municipal courts and inferior courts in cities having municipal courts which may be established in pursuance of this article, and may fix by law the powers, duties, qualifications and responsibilities of judges thereof.

Any action heretofore taken by the Legislature in fixing exclusive jurisdiction of municipal courts in cases at law is hereby ratified and confirmed.

### Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 12 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Waggy, Weller, West, and Young—33.

NOES—None.

### Title read and approved.

Senate Constitutional Amendment No. 12 ordered transmitted to the Assembly.

### SENATE CONSTITUTIONAL AMENDMENT No. 5.

A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

The Legislature of the State of California, at its regular session commencing on the third day of January, 1927, two-thirds of all of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section 3 of article XII of the constitution of the State of California be amended to read as follows:

Sec. 3. Each stockholder of a corporation, or joint-stock association, shall be individually and personally liable for such proportion of all its debts and liabilities contracted or incurred, during the time he was a stockholder, as the amount of stock or shares owned by him bears to the whole of the subscribed capital stock or shares of the corporation or association. The directors or trustees of corporations and joint-stock associations shall be jointly and severally liable to the creditors and stockholders for all moneys embezzled or misappropriated by the officers of such corporation or joint-stock association, during the term of office of such director or trustee.

Nothing in the preceding paragraph of this section shall be held to apply to any corporation hereafter organized under the laws of this State which shall adopt and use as the last word of its corporate name, the word "Limited" or its abbreviation, "Ltd."; but the stockholders of such corporation shall be subject to such liabilities as may be provided by the Legislature.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 5 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, West, and Young—31.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 5 ordered transmitted to the Assembly.

Senate Bill No. 52—An act to amend section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 52 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### COMMUNICATIONS.

The following communications were received, and on motion of Senator Jones, H. C., ordered printed in the Journal:

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA,

STATE BUILDING, SAN FRANCISCO, April 16, 1927.

Hon. C. C. Young,

Governor of the State of California.  
Sacramento, California.

DEAR GOVERNOR YOUNG: In compliance with your request made to the members of the Judicial Council at the conference held in your office in Sacramento on last Thursday, there is handed you herewith a comprehensive report and analysis of the problems presented by the desire manifested for the appointment of additional judges of the superior court in several of the counties of the State.

The substance of this report, which is reflected in the findings of the Judicial Council on the subject, is that while the creation of some additional judgeships has been advocated, the Council is of the opinion that at this time but eight should be provided for as follows:

San Diego County: One additional judgeship, with continued assistance from the Judicial Council. Two were asked for.

Alameda County: One additional judgeship, with the assistance of the Judicial Council continued as at present. Two were originally asked for, but the judges in that county desire to cooperate further with the Council.

San Bernardino County: One additional judgeship, with the assistance of the Judicial Council if deemed necessary.

Los Angeles County: Five additional judgeships and mobilization of all the available man power from other counties to sit in extra sessions under the direction of the Chairman of the Judicial Council. In this county various requests were made and every process of analysis which the Council could apply to the judicial business in the superior court, indicates that to completely dispose of the question some seventeen additional judges should be provided for, but for reasons more fully appearing in the special report accompanying this communication, it is deemed unwise to attempt to solve the problem in its entirety by appointing additional judgeships at this time.

The sum total of additional judges to be created, therefore, in the opinion of the Council, is eight, to wit: San Diego one, Alameda one, San Bernardino one and Los Angeles five.

The conditions in Santa Barbara County, as noted in the report, do not in the estimation of the Council, warrant the creation of an additional judgeship at this time.

Very sincerely yours,  
(Signed)

WILLIAM H. WASTE,  
Chief Justice and ex officio Chairman.

### SPECIAL REPORT RESPECTING THE INCREASE IN THE NUMBER OF JUDGES OF THE SUPERIOR COURT.

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA.

STATE BUILDING, SAN FRANCISCO, April 16, 1927.

To His Excellency U. C. Young,  
Governor of California.

As a result of the conference held on the fourteenth instant, there is herewith submitted on the behalf of the Judicial Council the following matters for your consideration:

The congestion of the trial calendars in the superior court being one of the principal grievances which brought about the adoption of the constitutional amendment under which the Council was created, our principal attention up to the present time has been devoted to a consideration of the condition of judicial business in that court. To that end a survey was made, which will be found set forth as a part of the Council's first report. In addition, further statistical data have been gathered respecting conditions existing in the counties hereinafter named, during the first three months of the present year as compared with the corresponding period a year ago.

The information thus gathered has been the subject of considerable thought and discussion among the members of the Council. Recently requests have been made that a hearing be granted to representatives of various counties requesting an increase in the number of judges for those localities. Accordingly, in deference thereto, a meeting of the Council was held in Sacramento on April 14. Upon that occasion representatives on behalf of the counties of Santa Barbara, San Diego, San Bernardino and Los Angeles presented the views of the citizens of those counties. The situation with respect to Alameda County had previously been discussed and was well known to all the members of the Council.

In its first report the Council has presented a survey of the condition of judicial business in the superior court. This survey discloses among other things, the following statistical data:

During the fiscal year ending June 30, 1926, the total number of cases of all kinds filed in the superior court throughout the State amounted to 133,918. Of these, 1182, or less than 1 per cent, originated in Santa Barbara County; 4969, or nearly 4 per cent, in San Diego County; 2481, or nearly 2 per cent, in San Bernardino County; 10,600, or approximately 8 per cent, in Alameda County; 1473, or slightly over 1 per cent, in Sonoma County, while there were 55,071, or approximately 41 per cent, filed in Los Angeles County. The number of superior court judges throughout the State now total 132.

#### SANTA BARBARA COUNTY.

Among the residents of Santa Barbara County there is disclosed a decided difference of opinion upon this subject. Particularly is this noticeable among those who claim to speak for the business interests and the bar on the one hand, and those who claim to represent the farmers on the other hand. Likewise, while Assemblyman Finley of that county insists that an additional judge is needed, Senator Hollister formerly held to the contrary view but now leaves the matter to the Judicial Council. Judge Crow of that county, has declined to express any opinion upon the matter.

The position of the Council is that the safe and likewise sound method of analyzing the condition of judicial business in any county, is to determine the relation



between the volume of judicial business in that county and the gross amount filed throughout the State. Viewed from that standpoint, it would follow that since Santa Barbara County has less than nine-tenths of one per cent of such business, the percentage of judicial man-power to which it would be entitled out of the total number of 132, would be one judge elected from the county, and also the assistance of another judge assigned from time to time. Furthermore, it will be observed that of the total number of criminal cases tried throughout the State—which cases represent the bulk of contested litigation requiring immediate hearing—only about 7 per cent was disposed of in Santa Barbara County.

#### SAN DIEGO COUNTY.

The bill pending at this time calls for two additional judges for San Diego County. As previously pointed out, nearly 4 per cent of all the litigation filed in the State during the last fiscal year, was instituted in that county. Its proper proportion of judges on that basis would accordingly be five. While it is true that there were 111 more suits of all kinds filed during the first three months of the present year than during the corresponding period a year ago, there was a reduction to the extent of 27 in the number of criminal proceedings filed. Likewise, while it is reported that there are 2881 civil actions that have not yet been tried, it is to be remembered that one of the judges of that court has been engaged in the trial of certain water litigation for approximately the last five months. Likewise, it cannot be determined at this time that all of these cases will go to trial. In any event, the problem should be reviewed from the standpoint of its relation to the judicial man-power of the entire State.

#### SAN BERNARDINO COUNTY.

While, as already noted, the total volume of judicial business in San Bernardino County is nearly 2 per cent of that for the entire State, which would warrant the services of three judges most of the time, there is also to be observed the fact that more than 3 per cent of the total number of criminal cases tried in the State are disposed of in that county. Bearing in mind that this latter type of litigation can not be deferred, it would follow that the regular panel for that county should comprise three judges.

#### ALAMEDA COUNTY.

From what has already been pointed out, it would appear that Alameda County's proportion of the total amount of litigation would warrant ten judges for that county. However, for the past year and one half the eight judges of that county, together with the assistance of one additional judge assigned there, have been able to keep its civil trial calendar set not more than four months in advance. While it is true there has been reported an increase of 546 cases of all kinds filed during the first quarter of the present year, as compared with the corresponding period a year ago, the judges of that county have indicated a willingness to experiment for the next two years on the basis of nine regular judges, together with such additional assistance as the Chairman of the Council may from time to time be able to provide. Thus the present man-power of the court, to wit, nine judges, will be assured through legislation creating one additional judge for that county.

#### SONOMA COUNTY.

Viewed from the standpoint of the proportionate amount of litigation, to wit, slightly over 1 per cent, it would appear that Sonoma County has not sufficient judicial business to keep two judges constantly occupied. Furthermore, so far as criminal proceedings are concerned, that county during the last year disposed only of approximately 7 per cent of the contested criminal cases. In any event, the recommendation reported to have been made by the grand jury of that county for a third judge, cannot be justified.

#### LOS ANGELES COUNTY.

It is here that the most serious condition is presented. As already noted, if we were to analyze its problem from the standpoint of the proportionate amount of litigation filed in Los Angeles County as compared with that for the entire State, it would mean 41 per cent of the judicial man-power of the superior court, or in other words, 54 judges. On the other hand, it is estimated that approximately one-third of the population of the State is to be found in that county. On that basis, the court there should have 44 judges. The same ratio would hold true if the matter were regarded from the standpoint of the value of assessed property in Los Angeles County as compared with the entire State. Looking at the matter from another angle, namely, taking Alameda County as a standard and on the basis of nine judges for the latter and bearing in mind that the total volume of litigation in Los Angeles County is five and one-half times as great, it would follow that the superior court in Los Angeles County should consist of at least 49 judges.

In a communication received from the secretary of the superior court of that county, it was reported that during November and December of last year a number of cases trailed from day to day for as long a period as 18 court days before getting to trial, and that many cases trailed anywhere from three to eight days. With the exception of criminal cases and injunctions and similar classes of law suits, ordinary civil cases are being set for trial 15 months in advance. Injunction, condemnation



and other emergency litigation is being set for trial four months in advance. During the month of March of the present year, there was not a day when the court was able to hear all of the cases ready for trial and the number of such cases which could not be heard ranged from six to as high as 26, the average being more than 14. This was the situation in spite of the fact that during the month of February there was a net increase of five judges over and above the regular panel of 28, and during the month of March a net increase of approximately six. This assistance, of course, was rendered through the assignment of judges by the Chairman of the Judicial Council. During the current month there has been a net increase of nine judges with the result that the court is now almost able to handle its daily calendar.

Assuming that a total of 37 judges presided in that court, it would still mean that ordinary civil cases would have to be set for trial 15 months in advance. In this connection, it should also be noted that there were 204 more proceedings of all kinds filed during the current quarter than during the first three months of last year. This increase, however, has followed in spite of the fact that the municipal courts of Los Angeles and Long Beach receive approximately 10,000 civil cases annually, where the amount involved ranges from \$300 to \$1,000, and which litigation but for those courts, would clog the calendar of the superior court still further.

Assuming, therefore, that with a net increase of nine judges that court would be able to avoid getting further behind, and if no change is brought about in the jurisdiction of that court and no substantial improvement is accomplished in practice and procedure toward expediting the handling of judicial business, it must be obvious that no matter what method of calculation is adopted, that court will require from 40 to 45 judges if any appreciable reduction is to be made in the volume of cases now accumulated on the trial calendar. Before any such extraordinary step is taken it would appear to be the part of wisdom, as well as more consistent with the principle upon which the Judicial Council has been established, that research be carried on for the next two years in order to determine whether any other solution can be found than simply increasing the amount of man-power of that court. Under the circumstances outlined, the safe course for the present would be to recommend the adoption of Senate Bill No. 269 which provides for an increase of five judges to that court. This would mean that as many additional judges should be assigned to assist in relieving present conditions, as can possibly be spared.

Finally, it is to be noted that thus far no provision has been made for the assignment of judges to assist either the Supreme Court or the district courts of appeal. By referring to the report of the Council it will be discovered that in December of last year 1,358 appeals were pending in the Supreme Court which had not yet reached the calendar for argument. In addition, there were at the same time 489 appeals pending in the District Court of Appeal for the Second District. It is significant that in this same district are located among others, the counties of Los Angeles, San Diego, San Bernardino and Santa Barbara. It has been estimated that in the appellate courts an average of not quite 50 opinions are written yearly by each judge. On that basis it would take about 30 judges in addition to the present membership of the appellate court to clear the present calendar and thus bring these courts up to within one year of their work.

In the light of the foregoing, the recommendations heretofore enumerated, to wit, one additional judge to each of the counties of San Diego, San Bernardino and Alameda, and five additional judges to Los Angeles County must be deemed exceedingly conservative. That the respective increases for these counties are necessary and indeed imperative, there is no doubt among the members of the Council.

Respectfully submitted.

THE JUDICIAL COUNCIL OF THE STATE OF CALIFORNIA.

(Signed) WILLIAM H. WASTE,  
Chief Justice and ex officio Chairman.

Attest: B. GRANT TAYLOR,

Clerk of the Supreme Court and Secretary of the Judicial Council.

### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 474—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time.

### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 474 to Senator Breed, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, strike out the word "Camping", and insert in lieu thereof the words "Wilfully camping".

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, strike out the word "Entering", and insert in lieu thereof the words "Wilfully entering".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 474, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Special Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 417 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and Young—28.

NOES—Senators Jones, Ray; and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 356—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide revenue therefrom for fish and game preservation, propagation and protection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 356 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—Senator Slater—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the district courts of appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 204 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 218—An act appropriating money to be expended by the Reclamation Board for general administrative purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 218 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 427—An act to authorize the Governor to appoint a commission to prepare the plans and to select the site for a separate penal institution for women offenders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 427 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1259—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Crowley moved to refer Assembly Bill No. 1259 to Senator Murphy, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "judgment", add a comma.

#### AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, after the word "locality", add a comma.

#### AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, after the word and comma "iron," add the following: "Epsom salts,".

#### AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, after the abbreviation "viz", add a period

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1259, with instructions to amend, respectfully reports the same back, amended as per instructions.

MURPHY, Special Committee.

Report read, and on motion of Senator Crowley adopted.

Bill ordered to print.

## RECESS.

At twelve o'clock and thirty-three minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of one o'clock and thirty minutes p.m.

## RECONVENED.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1257—An act to add a new section to the Political Code, to be numbered 4272a, relating to the compensation and expenses of the surveyor of counties of the forty-third class—has had the same under consideration, and respectfully reports the same back; and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HANDY, Vice Chairman.

Assembly Bill No. 1257 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 141—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

HANDY, Vice Chairman.

Assembly Bill No. 141 ordered on file for second reading.

## ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 604—An act to amend section 13 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to quarantine rules;

Also: Assembly Bill No. 602—An act to add five new sections to be numbered 16a, 16b, 16c, 16d, and 16e to an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to the establishment of an alternative method of procedure for the enforcement thereof by means of the organization and establishment of local food inspection and enforcement divisions of the State Board of Health;



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CROWLEY, Chairman.

Assembly Bills Nos. 602 and 604 ordered on file for second reading.  
Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 443—An act to amend sections 5 and 12 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

CROWLEY, Chairman.

Senate Bill No. 443 ordered on file for second reading.

#### ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 780—An act to amend section 122 of the "Bank Act," approved March 1, 1909, as amended, relating to the location of the principal office of the State Banking Department—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

HANDY, Chairman.  
BAKER.  
CANEPA.  
EVANS.  
HOLLISTER.  
JONES, H. C.  
MUELLER.  
MURPHY.  
NELSON.

Senate Bill No. 780 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 476—An act to amend section 1761 of the Code of Civil Procedure, relating to special notice of administration proceedings and demand thereof;

Also: Senate Bill No. 889—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Senate Bills Nos. 476 and 889 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 179—An act to add to the Code of Civil Procedure a new section, to be numbered 302, relating to the practice by attorneys in the various courts of record of the State of California;

Also: Assembly Bill No. 515—An act to amend section 688 of the Code of Civil Procedure, relating to executions in civil actions;

Also: Assembly Bill No. 534—An act to amend section 1599 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship;

Also: Assembly Bill No. 576—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal;

Also: Assembly Bill No. 631—An act to amend section 409 of the Political Code, relating to fees to be collected by the Secretary of State;

Also: Assembly Bill No. 701—An act to add a new section to the Code of Civil Procedure, to be numbered section 1381, relating to the rights of the United States

Government of a department or bureau thereof in the matter of estates of deceased persons, incompetent persons, and minors in cases where compensation, pension, insurance, or other allowance is made;

Also: Assembly Bill No. 886—An act to amend section 72 of the Penal Code of the State of California, relating to presenting false or fraudulent claims to public officers;

Also: Assembly Bill No. 887—An act to amend section 653d of the Penal Code of the State of California, relating to retaining wages of employees upon public works;

Also: Assembly Bill No. 1254—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Assembly Bills Nos. 179, 515, 534, 576, 631, 701, 886, 887 and 1254 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 66—An act to amend section 204e of the Code of Civil Procedure, relating to duties of jury commissioner;

Also: Assembly Bill No. 519—An act to amend section 172a of the Civil Code, relating to the management of community real property;

Also: Assembly Bill No. 1045—An act to amend the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by repealing section 25 thereof, relating to principal and contracting employers;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Assembly Bills Nos. 66, 519 and 1045 ordered on file for second reading.

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 104—An act to appropriate money to protect the banks of Mad River from erosion by means of brush and rock work along the banks thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—9; noes—1; absent—8.

INMAN, Chairman.

Senate Bill No. 104 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 586—An act to provide for the purchase by the State of California under certain conditions of certificates of sale of property sold for delinquent assessments of irrigation districts, and for the disposition through the State Land Settlement Board of property acquired by the State pursuant to the purchase of such certificates, and for the management by the California Bond Certification Commission, under certain conditions, of irrigation districts in which the State has so acquired an interest in lands, and making an appropriation to carry out the provisions of this act;

Also: Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Senate Bills Nos. 586 and 819 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 885—An act to provide for the appointment of a commission to be known as the Carquinez Straits Bridge Commission to investigate the Carquinez Straits Bridge and any matters connected therewith or with bridges across the Carquinez Straits, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of the existing bridge by the State with a plan for financing its acquisition and amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the State highway system; or the construction of other bridges across such straits and any other pertinent matters relating to the same problem—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—9; noes—2; absent—7.

INMAN, Chairman.

Senate Bill No. 885 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 278—An act appropriating money to pay the claim of A. J. and T. D. Borie against the State of California;

Also: Assembly Bill No. 279—An act appropriating money to pay the claim of Charles G. Johnson against the State of California;

Also: Assembly Bill No. 280—An act appropriating money to pay the claim of Niagara Fire Insurance Company, a corporation, against the State of California;

Also: Assembly Bill No. 281—An act appropriating money to pay the claim of Pacific Tank and Pipe Company, a corporation, against the State of California;

Also: Assembly Bill No. 282—An act appropriating money to pay the claim of H. Mortimer Smith against the State of California;

Also: Assembly Bill No. 283—An act appropriating money to pay the claim of Mrs. J. H. Newman against the State of California;

Also: Assembly Bill No. 284—An act appropriating money to pay the claim of Alex Fagerstrom against the State of California;

Also: Assembly Bill No. 285—An act appropriating money to pay the claim of W. W. Sharp, treasurer of the county of Lassen, against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bills Nos. 278, 279, 280, 281, 282, 283, 284 and 285 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 271—An act appropriating money to pay the claim of Bernard Verbeck against the State of California;

Also: Assembly Bill No. 272—An act appropriating money to pay the claim of the California Highway Commission against the State of California;

Also: Assembly Bill No. 273—An act appropriating money to pay the claim of H. Moffatt Company against the State of California;

Also: Assembly Bill No. 274—An act appropriating money to pay the claim of H. Levy Company against the State of California;

Also: Assembly Bill No. 275—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 276—An act appropriating money to pay the claim of Harold E. Smith against the State of California;

Also: Assembly Bill No. 277—An act appropriating money to pay the claim of Clark and Henery Construction Company, a corporation, against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bills Nos. 271, 272, 273, 274, 275, 276 and 277 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 67—An act appropriating money to pay the claim of John L. Berry, as county treasurer of the county of Siskiyou, against the State of California;

Also: Assembly Bill No. 72—An act appropriating money to pay the claim of W. M. Hughes, as county treasurer of the county of Madera, against the State of California;

Also: Assembly Bill No. 152—An act making an appropriation to pay the claim of the Gold Buckle Association against the State of California;

Also: Assembly Bill No. 166—An act appropriating money to pay the claim of Galen W. Morrill against the State of California;

Also: Assembly Bill No. 172—An act appropriating money to pay the claim of John M. Daly, as county treasurer of the county of Tulare, against the State of California;

Also: Assembly Bill No. 270—An act appropriating money to pay the claim of Salvatore Spingola against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bills Nos. 67, 72, 152, 166, 172 and 270 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 859—An act to amend section 2533 of the Political Code, relating to the San Francisco Harbor improvement fund;

Also: Assembly Bill No. 1210—An act relating to the holding of the Tenth Olympiad in California, providing for the issuance and sale of State bonds to be known as "California Tenth Olympiad bonds," providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditure of the moneys in said fund for the said purposes, creating a commission to be known as the "California Olympiad Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective;

Also: Assembly Bill No. 1175—An act providing for the building of a causeway across the Sutter By-pass in Sutter County, State of California, and making an appropriation therefor;

Also: Assembly Bill No. 185—An act to add six new sections to the Political Code to be numbered 2979b, 2979c, 2979d, 2979e, 2982a, 4041d, relating to the care, treatment, transportation and physical rehabilitation of physically defective and handicapped persons, under the age of 18 years, by the State of California, by and under the direction and supervision of the State Board of Health and by and under the direction of county boards of supervisors and making an appropriation therefor; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Senate Bill No. 859 ordered on file for second reading.

Assembly Bills Nos. 1210, 1175 and 185 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 286—An act appropriating money to pay the claim of the city of Berkeley against the State of California for the construction of electroliers upon that portion of Bancroft Way in said city of Berkeley, fronting upon property of the University of California;

Also: Assembly Bill No. 434—An act appropriating money to pay the claim of the Exchange Orange Products Company, a corporation, against the State of California;

Also: Assembly Bill No. 473—An act making an appropriation to pay the claim of Jennie Martin against the State of California;

Also: Assembly Bill No. 627—An act making an appropriation to pay the claim of the county of Sacramento against the State of California;

Also: Assembly Bill No. 732—An act appropriating money to pay the claim of city of Los Angeles against the State of California;



Also: Assembly Bill No. 882—An act appropriating money to pay the claim of C. G. Celio and Sons against the State of California;

Also: Assembly Bill No. 1070—An act to make an appropriation to pay the claim of Vina Rais against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bills Nos. 286, 434, 473, 627, 732, 882 and 1070 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1153—An act making an appropriation to pay the claim of the Red River Lumber Company against the State of California;

Also: Assembly Bill No. 1186—An act making an appropriation to pay the claim of F. O. Butler against the State of California;

Also: Assembly Bill No. 1192—An act making an appropriation to pay the claim of the Chalfant Cooperative Power Association against the State of California;

Also: Assembly Bill No. 1203—An act appropriating money to pay the claim of C. W. Booth against the State of California;

Also: Assembly Bill No. 1248—An act making an appropriation to pay the claim of Pacific Employers Insurance Company against the State of California;

Also: Assembly Bill No. 1250—An act appropriating money to pay the claim of John E. Huberty against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bills Nos. 1153, 1186, 1192, 1203, 1248 and 1250 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 25—An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled "An act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, and all other acts or parts of acts in conflict herewith;

Also: Assembly Bill No. 1258—An act appropriating money for premiums at fairs or exhibitions held by the Forty-sixth District Agricultural Association during the seventy-ninth and eightieth fiscal years;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bills Nos. 25 and 1258 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 598—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917;

Also: Senate Bill No. 691—An act to amend section 3 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, but without recommendation except that the amendments be adopted.

Committee membership—14; committee vote: Ayes—11; absent—3.

JONES, H. C., Chairman.

Senate Bills Nos. 598 and 691 ordered on file for second reading.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 28—Relative to approving the charter of the city of Pacific Grove, State of California, voted for and ratified by the qualified voters of said city of Pacific Grove at its special municipal election held therein for that purpose on the ninth day of April, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 28 ordered to enrollment.

## RECESS.

At one o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of one o'clock and forty-five minutes p.m.

## RECONVENED.

At one o'clock and forty-five minutes p.m., the Senate reconvened. Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## RESOLUTION.

The following resolution was offered :

By Committee on Contingent Expenses :

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of ninety dollars and twenty-seven cents (\$90.27) to pay the following bills :

Western Union, telegraph service to the Senate-----	\$48 37
Bancroft-Whitney Company, 1 Constitution, 1 Political Code-----	7 70
Pacific Telephone and Telegraph Company, service charge and tolls	34 20
Total -----	\$90 27

The same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Resolution read.

Senator Allen, J. M., moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Allen, J. M., Baker, Boggs, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Jones, Ray; Kline, Lyon, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, and West—22.

NOES—None.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 760—An act to prohibit the solicitation of the business of collecting personal injury or death claims arising within this State, with the intention of instituting suit thereon outside of this State, and to prohibit the promotion of prosecution of such suits, and to provide a penalty for a violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 760 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1052—An act to amend section 103 of the Code of Civil Procedure, relating to qualifications of justices of the peace in certain townships.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1052 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 43—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 43 passed by the following vote:

AYES—Senators Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Swing, Tubbs, Wagy, Weller, West, and Young—25.

NOES—Senators Crowley, Handy, and Slater—3.

TITLE AMENDED.

Senator Weller moved to amend the title of Assembly Bill No. 43 by adding thereto the following:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title of the printed bill, insert the word "nominating" and a comma after the word "of" and before the word "voting".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print.

NOTICE OF MOTION TO RECONSIDER.

Senator Tubbs gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 43 was passed.

Assembly Bill No. 148—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Assembly Bill No. 148, as amended March 25, 1927, to Senator Crowley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the amended printed bill, strike out lines 42 to 46, inclusive, and insert in lieu thereof the following:

12. The surveyor, ten dollars per day for each day's service rendered.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 148, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Special Committee.

Report read, and on motion of Senator Garrison adopted.

Bill ordered to print.

Assembly Bill No. 810—An act to amend section 4259 of the Political Code, relating to the salaries, fees and expenses of officers, in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 810 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 516—An act to approve, confirm, ratify and validate sales and conveyances of real property made by school districts or high school districts or by boards of education or boards of trustees or other governing bodies thereof, or by the board of education of any city, and to approve, confirm, ratify and validate instruments executed or delivered in connection with or as a part of any such sales.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 516 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 858—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class.

Bill read third time.



The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 858 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 860—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 860 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 873—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 873 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1172—An act to amend section 1590 and section 1733 of the Political Code, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1172 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 207—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code, to be numbered 1617a, relating to the sale or lease of real property by school districts, high school districts, and junior college districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 207 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 476—An act authorizing the establishment of municipal and county laboratories for the diagnosis of communicable disease and requiring the State Board of Health to issue certificates of approval for such laboratories.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 476 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Ingram, Johnson, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 182—An act to add a new section to be numbered 4267a to the Political Code, relating to the salaries, fees and expenses of the county surveyor in counties of the thirty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 182 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Breed, Canepa, Cobb, Crowley, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 813—An act to amend section 16 of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended, relating to appointment to positions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 813 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to a Division of Cannery Inspection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1217 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 387—An act to amend sections 1 and 3 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, relating to cemetery districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 387 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 564—An act to amend sections 18 and 19 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure

and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 564 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 690—An act to amend title Xa of the Code of Civil Procedure, relating to civil proceedings in municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 690 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 691—An act to amend section 927h of the Code of Civil Procedure to provide for the performance by the marshal of the municipal court of the duties imposed upon the constable and providing for the fees to be charged therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 691 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 692—An act to amend section 927p of the Code of Civil Procedure, to provide for the payment of fees in the small claims court.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 692 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 707—An act to create the office of a public defender, relating to creating an office to defend persons charged with crimes, without means to hire counsel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 707 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 222—An act to amend section 1861a of the Civil Code, relating to the liens of keepers of furnished apartment houses and furnished bungalow courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 222 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 224—An act to amend section 341a of the Code of Civil Procedure, relating to actions to recover personal property left in hotels.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 224 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 223—An act to amend section 1862 of the Civil Code, relating to the sale at auction of unclaimed baggage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 223 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, and Wagye—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 528—An act to add a new section to the Code of Civil Procedure, to be numbered 1308a, relating to orders admitting wills to probate and the certification and recordation of wills.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 528 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagye, and Young—28.

NOES—Senators Christian and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 533—An act to amend section 1598 of the Code of Civil Procedure, relating to the giving of notice for hearing petitions to complete contracts for sale of real or personal property.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Chamberlin moved to refer Assembly Bill No. 533, as amended in the Senate April 13, 1927, to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate April 13, 1927, strike out lines 1 to 4, inclusive, of the title, and insert in lieu thereof the following:

An act to amend sections one thousand five hundred ninety-eight and one thousand five hundred ninety-nine of the Code of Civil Procedure, relating to the conveyance of property of decedents by executors or administrators, and the filing of petitions therefor, and the giving of notice thereof.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, as amended in the Senate April 13, 1927, before the word "petition", insert the following: "verified".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, as amended in the Senate April 13, 1927, strike out the word "must", and all of lines 7 to 22, inclusive, and insert in lieu thereof the following: "shall fix a time and place for hearing the petition".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended in the Senate April 13, 1927, strike out all of lines 1 to 4, inclusive, and insert in lieu thereof the following: "When the executor or administrator is not the petitioner, notice of such hearing shall be served upon him or his attorney at least ten (10) days before the hearing."

SEC. 2. Section 1599 of the Code of Civil Procedure is hereby amended to read as follows:

1599. At the time and place appointed for the hearing, or at such other time to which the same may be postponed, upon satisfactory proof by affidavit or otherwise, of the service of such notice as may have been required, the court shall proceed to hear said petition, and the court may examine, on oath, the petitioner and all who may be produced before him for that purpose, and the executor or administrator may, if he is not the petitioner, appear and contest such petition by filing his objections in writing."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 533, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Chamberlin adopted.

Bill ordered to print.

Assembly Bill No. 58—An act to add a new section to the Political Code, to be numbered 4049*b*, relative to publishing information by boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 58 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 895—An act to amend section 1401 of the Civil Code, relating to the disposition of community property on the death of either spouse.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 895 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 645—An act to amend sections 26, 32 and 36*f* of the Water Commission Act, relating to water rights.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 645 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson,

Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Slater, Tubbs, Wag, Weller, West, and Young—30.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1209—An act to amend section 2 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the powers of the Los Angeles County Flood Control District.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Mueller moved to refer Assembly Bill No. 1209 to Senator Garrison, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 36, add a new paragraph as follows:  
12. To pay premiums on bonds of contractors required under any contract wherein the amount payable to the contractor exceeds five million dollars provided that the specifications in such cases shall specifically so provide and state that the bidder shall not include in his bids the cost of furnishing the required bonds.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1209, with instructions to amend, respectfully reports the same back, amended as per instructions.

GARRISON, Special Committee.

Report read, and on motion of Senator Mueller adopted.

Bill ordered to print.

Assembly Bill No. 1238—An act to amend section 1 of an act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein, and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909, as amended, relating to the classification of counties into agricultural districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1238 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1178—An act to amend an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by amending sections



1, 2 and 5 thereof, and by adding four new sections thereto to be numbered  $8\frac{1}{2}$ ,  $8\frac{3}{4}$ ,  $13\frac{1}{2}$  and  $14\frac{1}{2}$ , providing for testing the validity of bonds, the issuance of additional bonds, the adding new territory to water-works districts and the ordering and contracting for work and acquiring property therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1178 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wag, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 410—An act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, by controlling the floods, removing the debris and continuing the improvement of the Sacramento River, California, in accordance with the plans of the California Debris Commission contained in the report of said commission, submitted August 10, 1910, and transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, and printed in House of Representatives Document No. 81 of the first session of the sixty-second United States Congress, as modified by the report of said commission submitted February 8, 1913, approved by the Chief of Engineers of the United States Army and the Board of Engineers for Rivers and Harbors and printed in Rivers and Harbors Committee Document No. 5, sixty-third United States Congress, first session, in so far as said plan provides for the rectification and enlargement of river channels and the construction of weirs; and making an appropriation for such work; and providing for the continuance of such work as provided by section 2 of an act of the Congress of the United States entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes," approved March 1, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 410 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Maloney, to introduce a bill entitled—An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL—(OUT OF ORDER).

The following bill was introduced:

By Senator Maloney: Senate Bill No. 891—An act to amend section 16 of the Juvenile Court Law approved June 5, 1915, as amended.

Bill read first time, and referred to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 687—An act to amend sections 4, 6, 7 and 8 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to the powers and duties of the Veterans' Welfare Board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 687 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 993—An act to amend section 42 of the act known as the Improvement Act of 1911, approved April 7, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 993 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 834—An act to add a new section to the Political Code, to be numbered 1610½, relating to special leaves of absence and exchanges of teachers, principals and other persons in public school service holding positions requiring the certification of their qualifications in certain cases, and defining the powers of boards of school trustees and city or city and county boards of education or high school boards of education in such cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 834 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagv, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 239—An act to amend an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," by amending sections 1 and 4 thereof, and by adding thereto a new section to be numbered 6, relating to special precincts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 239 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagv, and Weller—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 26—Relative to approving four certain amendments to the charter of the city of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of March, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 26 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagv, Weller, and Young—28.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 26 ordered transmitted to the Assembly.

#### ASSEMBLY JOINT RESOLUTION No. 10.

Relative to memorializing and petitioning the President of the United States and Congress to establish by proper legislation a Bureau or Department of Publicity.

WHEREAS, The subject of "see America first" and the establishment of a Department of Publicity for the purpose of properly advertising the United States and "sell-



ing America to Americans" is an important matter in these days of extensive advertising directing the attention of Americans to Europe and points outside of the United States; now, therefore, be it

*Resolved by the Assembly and Senate, jointly,* That the Legislature of the State of California hereby petitions the President of the United States and Congress to enact legislation, and to use their utmost endeavors for the immediate passage of laws for the

1. Establishment of a Bureau of Publicity under the direction of the Department of the Interior for our forty-eight states and territories to encourage travel in America and to educate people to travel in America, by carrying on and conducting a publicity campaign by advertising in this and other countries the scenic wonders, climate, highways, resources, lakes, rivers, inland waterways, places of historic interest, national parks, national forests, national monuments, ice caves, overland and other cross country trails and Indian mounds.

2. Establishment of numerous automobile highways from the Atlantic to the Pacific and from the Gulf to the Great Lakes and also paved highways from national parks to national parks, with government appropriation for the development of these highways; and be it further

*Resolved,* That the Chief Clerk of the Assembly be and he is hereby directed to send copies of this resolution to the President of the United States and to each member of the Senate and House of Representatives of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 10 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Wagy, Weller, and Young—25.

NOES—Senator Tubbs—1.

Title read and approved.

Assembly Joint Resolution No. 10 ordered transmitted to the Assembly.

#### ASSEMBLY CONSTITUTIONAL AMENDMENT No. 31.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article IV thereof, relating to State aid to certain physically handicapped persons.

*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its forty-seventh session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to amend section 22 of article IV of the constitution to read as follows:

Sec. 22. No money shall be drawn from the treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the controller; and no money shall ever be appropriated or drawn from the State treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a State institution, nor shall any grant or donation of property ever be made thereto by the State; *provided,* that notwithstanding anything contained in this or any other section of the constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; *provided,* that the Legislature shall have power to grant aid to needy physically handicapped persons not inmates of any institution under the supervision of the State Department of Institutions and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; *provided, further,* that the State shall have at any time the right to inquire into the management of such institutions; *provided, further,* that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy physically handicapped persons not inmates of any institution under the supervision of the State Department of Institutions and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State, such county, city and county, city, or town shall be entitled



to receive the same pro rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 31 adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Slater, Tubbs, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 31 ordered transmitted to the Assembly.

#### QUESTION OF PERSONAL PRIVILEGE.

Senator Young arose to a question of personal privilege, and addressed the Senate as follows:

There is a certain State employee on the floor of the Senate at the present moment lobbying on a bill before this body.

As this is against the rules of the Senate, I object to any such act.

This man, who draws a large salary from the State, spends most of his time here lobbying against bills drawn for the benefit of the anglers of the State. He attends every Fish and Game Committee meeting and interferes constantly with fish and game legislation, and I protest against it.

#### LEAVE OF ABSENCE.

Senator Hurley was, on motion of Senator Christian, granted leave of absence for the remainder of this day.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 105—An act to add a new section to the Political Code to be numbered 737*cc*, relating to the salaries of superior court judges;

Also: Senate Bill No. 724—An act to add a new section to the Political Code, to be numbered 1751*a*, relating to attendance at high school;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock;

Also: Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 942—An act to add a new section to the Political Code, to be numbered 4082, relating to lost or destroyed county warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 942 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Slater, Tubbs, Wagy, West, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 621—An act to amend sections 9 and 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 621 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Kline, Lyon, Maloney, Mueller, Murphy, Slater, Tubbs, Wagy, West, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 375—An act to amend section 1048 of the Code of Civil Procedure, relating to the consolidation of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 375 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Kline, Lyon, Maloney, Mueller, Murphy, Sharkey, Slater, Tubbs, Wagy, and West—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 376—An act to add a new section to the Code of Civil Procedure, to be numbered 1062a, relating to declaratory relief.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 376 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Kline, Lyon, Maloney, Mueller, Murphy, Nelson, Sharkey, Slater, Tubbs, Wagy, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 611—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 611 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Lyon, Maloney, Mueller, Murphy, Nelson, Sharkey, Slater, Wagy, West, and Young—24.

NOES—Senators Fellom and Tubbs—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1201—An act to amend section 6260 of the Penal Code, relating to the shooting of water fowl from scull-boats in Fish and Game District No. 2.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Lyon moved to refer Assembly Bill No. 1201, as amended April 14, 1927, to Senator Pedrotti, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, as amended April 14, 1927, strike out the words "from scull". Also strike out all of line 3 of said title, and insert in lieu thereof a period.

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1201, with instructions to amend, respectfully reports the same back, amended as per instructions.

PEDROTTI, Special Committee.

Report read, and on motion of Senator Lyon adopted.

Bill ordered to print.

Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Young moved to refer Assembly Bill No. 638 to Senator Allen, J. M., as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the comma after the word "attorney", and insert in lieu thereof the words "and the sheriff,".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

Mr. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 638, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, J. M., Special Committee.

Report read, and on motion of Senator Young adopted.

Bill ordered to print.

## THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 377—An act to amend section 1068 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Baker moved to refer Senate Bill No. 377 to Senator McKinley, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended, strike out the word "except", and insert in lieu thereof the word "provided".

## AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, as amended strike out the words "as part of the", and insert in lieu thereof the following: "immediately following his pronouncement of".

## AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended, following the comma after the word "sentence", insert the following: "by statement in open court entered upon the minutes".

## AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, as amended, strike out the comma following the word "convicted", and insert in lieu thereof a period.

## AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill, as amended, strike out the word "and".

## AMENDMENT NUMBER SIX.

On page 1 of the printed bill, as amended, strike out all of lines 20, 21 and 22.

## AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended, strike out all of line 23.

## AMENDMENT NUMBER EIGHT.

On page 2, line 24, of the printed bill, as amended, strike out the words "years; for", and insert in lieu thereof the word "For".

## AMENDMENT NUMBER NINE.

On page 2, line 31, of the printed bill, as amended, strike out the word "fifteen", and insert in lieu thereof the word "ten".

## AMENDMENT NUMBER TEN.

On page 2, line 34, of the printed bill, as amended, strike out the word "seven", and insert in lieu thereof the word "five".

## AMENDMENT NUMBER ELEVEN.

On page 2, line 34, of the printed bill, as amended, strike out the period following the word "years", and insert in lieu thereof a comma and add the following: "provided, that in all such cases the authority authorized by law to fix the term of imprisonment to be served may fix the same upon the expiration of one year from and after the actual commencement of such imprisonment; and further provided, that in all such cases there may be allowed to apply upon the term of imprisonment fixed including the minimum term prescribed by this section such credits for good behavior or otherwise as are or may be authorized by law".



## AMENDMENT NUMBER TWELVE.

On page 2, line 44, of the printed bill, as amended, following the sentence ending with the word "convicted", insert the following: "Nothing in this section contained shall be deemed in any wise to affect or control the admission to parole of any person whose term of imprisonment shall have commenced prior to the first day of September, 1927".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 377, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Special Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Mueller moved to refer Senate Bill No. 66, as amended March 21, 1927, to Senator Garrison, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended March 21, 1927, strike out the words "one thousand eight hundred", and insert in lieu thereof the following: "one thousand nine hundred twenty".

## AMENDMENT NUMBER TWO.

On page 3, line 28, of the printed bill, as amended March 21, 1927, strike out the word "two", and insert in lieu thereof the word "three".

## AMENDMENT NUMBER THREE.

On page 3, lines 30 and 31, of the printed bill, as amended March 21, 1927, strike out the words "one deputy who shall receive a salary of two thousand one hundred sixty dollars per annum", and insert in lieu thereof the following: "two deputies who shall receive salaries of two thousand one hundred sixty dollars each per annum".

## AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, as amended March 21, 1927, strike out lines 33 and 34, and insert in lieu thereof the following: "annum; one deputy who shall receive a salary of one thousand nine hundred eighty dollars per annum; one deputy".

## AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, as amended March 21, 1927, strike out lines 36 and 37 and insert in lieu thereof the following: "lars per annum; one stenog-".

## AMENDMENT NUMBER SIX.

On page 7 of the printed bill, as amended March 21, 1927, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following: "In townships of the first and second classes the board of supervisors of the counties of this class may furnish the justices of the peace suitable court rooms and equipment."

## AMENDMENT NUMBER SEVEN.

On page 8 of the printed bill, as amended March 21, 1927, after the period in line 32 insert the following: "The sealer and assistant sealer of weights and measures shall also be allowed their traveling expenses actually and necessarily incurred in the performance of their duties."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 66, with instructions to amend, respectfully reports the same back, amended as per instructions.

GARRISON, Special Committee.

Report read, and on motion of Senator Mueller adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: Your Committee on Manufactures, to which was referred re-engrossed Assembly Bill No. 42—An act to add a new section to the Penal Code to be numbered 537e relating to the purchase or sale of manufactured articles from which identification marks have been removed—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4; absent—1.

TUBBS, Chairman.

Assembly Bill No. 42 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

TUBBS, Chairman.

BREED.

JONES, RAY.

MALONEY.

WAGY.

GRAY.

KLINE.

HANDY.

LYON.

PEDROTTI.

SWING.

WELLER.

CANEPA.

WEST.

Senate Bill No. 32 ordered on file for second reading.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones, H. C., gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 5 was adopted.

ADJOURNMENT.

At four o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, April 20, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Wednesday, April 20, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 19, 1927, its further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senators Hurley and Taylor were, on motion of Senator Breed, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Jones, Ray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Davis Joint Union High School, Miss Katherine S. Haller, teacher of citizenship class, and the following pupils: Katherine Fiske, Katharine Roadhouse, Dorothy Hoag, Helen Watson, Helen Bullock, Raymond Doney, James Darrock, Paul Day and Ben Moses.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. C. A. Barlow of Bakersfield, California.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

## ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 186—An act to amend the Code of Civil Procedure by adding a new section thereto, relating to the expenses of judges of the superior courts;

Also: Assembly Bill No. 398—An act to amend section 2322+16 of the Political Code, relating to the salaries of the county horticultural commissioner, deputies and inspectors in counties of the sixteenth class;

Also: Assembly Bill No. 422—An act to amend section 1469 of the Code of Civil Procedure, relating to the administration of estate not exceeding \$2,500 in value;

Also: Assembly Bill No. 521—An act to amend section 1263 of the Civil Code, providing what the declaration of homestead of the head of a family must contain;

Also: Assembly Bill No. 656—An act to amend section 4273 of the Political Code, relating to fees and salaries of officers in counties of the forty-fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 743—An act to amend section 4244 of the Political Code, relative to fees and compensation of officers in the counties of the fifteenth class;

Also: Assembly Bill No. 811—An act to amend sections 1113 and 1115, Political Code, relating to the preparation of registration books;

Also: Assembly Bill No. 828—An act to add a new section to the Civil Code to be numbered 606, relating to the organization of corporations for charitable and eleemosynary purposes;

Also: Assembly Bill No. 1194—An act to add new sections to article IIb of chapter III of title I of part III of the Political Code to be numbered 361c, 361f, and 361g, creating in the Department of Agriculture a Division of Land Settlement, defining the powers and duties and providing for the administration thereof;

Also: Assembly Bill No. 1245—An act to aid improvement, drainage and reclamation by authorizing certain improvements in and about the city of San Diego and as a means thereof creating a reclamation district to be called and known as the "Bayside Reclamation District," fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of lands of said district.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended on April 6th, and on this day passed as amended, Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 490 and amendments ordered on unfinished business file.

MOTION.

Senator Chamberlin moved that consideration of Assembly amendments to Senate Bill No. 490 be made a special order for two o'clock and thirty minutes p.m., April 21, 1927.

SUBSTITUTE MOTION.

Senator Nelson moved that consideration of Assembly amendments to Senate Bill No. 490 be made a special order for Friday, April 22, 1927, at eleven o'clock a.m.

Motion carried, and such was the order.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 27—Approving a certain amendment to the charter of the city of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the tenth day of March, 1927,

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Concurrent Resolution No. 27 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail;



Also: Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases:

Also: Assembly Bill No. 415—An act to amend section 165 of the Penal Code, relating to bribery of public officials.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 364, 384 and 415 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 932—An act to validate all proceedings taken under the provisions of an act entitled, "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended:

Also: Assembly Bill No. 992—An act to amend sections 8, 12 and 25 of and to add a new section to be numbered 13a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923:

Also: Assembly Bill No. 1047—An act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to proceedings before the Industrial Accident Commission in certain death benefit cases.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 932 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 992 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1047 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1048—An act to amend section 20 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the time within which to file claims with the Industrial Accident Commission in certain cases:

Also: Assembly Bill No. 1051—An act to amend section 3 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to definition of the term "injury" as used in such Workmen's Compensation Act;

Also: Assembly Bill No. 1146—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925;

Also: Assembly Bill No. 1179—An act to amend the title of and to add two new sections to be numbered 3a and 3b to an act entitled "An act appropriating money to pay the expenses of erecting a suitable building, and of collecting and maintaining an exhibit of the products of the State of California, at the Nevada Transcontinental Highways Exposition, to be held in the city of Reno, Nevada, in 1926, and to provide for a commissioner thereof," approved May 25, 1925, providing for the erection of a marker on the Victory Highway and by appropriating and allocating a part of said moneys in order to erect said marker.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bills Nos. 1048 and 1051 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1146 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1179 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1243—An act to be known as the Loan Brokers' Act, to regulate the fees, charges, commissions or compensation of real estate and personal loan brokers and providing penalties for violations thereof;

Also: Assembly Bill No. 1267—An act to amend section 1613 of the Penal Code, relating to prisoners in county jails;

Also: Assembly Bill No. 1270—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class;

Also: Assembly Bill No. 1274—An act to amend section 2322, 27 of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies, and employees in counties of the twenty-seventh class;

Also: Assembly Bill No. 1276—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 1243 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1267 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bills Nos. 1270, 1274 and 1276 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1199—An act to prohibit the diversion of underground waters applied to a public use within a given area to the use of the inhabitants of another area where the same would prejudice the rights, welfare or prosperity of the consumers or owners of lands overlying the underground basin;

Also: Assembly Bill No. 774—An act to amend section 9 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to compensation for injured employees suffering from pre-existing injury, disability or condition.

ARTHUR A. OHNIMUS, Chief Clerk,  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 1199 read first time, and referred to Committee on Conservation.

Assembly Bill No. 774 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 527—An act to amend section 781 of the Code of Civil Procedure, providing for the action of the court where property is sold in partition suits and there are contingent future rights or estates or life estates;

Also: Assembly Bill No. 677—An act providing for the creation and management of the Talmalpais State Park, making an appropriation therefor and creating the Talmalpais State Park Commission, with power to acquire land and other property for the creation, maintenance and improvement of said park, and for additions thereto, and to maintain and manage the same, and to appoint a guardian thereof;

Also: Assembly Bill No. 685—An act to amend section 10 of the Political Code, relating to holidays;

Also: Assembly Bill No. 761—An act appropriating money to pay the claim of W. A. Sloane against the State of California;

Also: Assembly Bill No. 778—An act to add a new section to the Political Code to be numbered 737 $\frac{1}{2}$ , relating to the salary of the judge of the superior court of the county of San Benito.

ARTHUR A. OHNIMUS, Chief Clerk,  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 527 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 677 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 685 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 761 read first time, and referred to Committee on Finance.

Assembly Bill No. 778 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 48—An act authorizing the State Department of Education, with the approval of the State Board of Control, to grant to the California Highway Commission certain lands belonging to the State of California situated in Siskiyou County;

Also: Assembly Bill No. 225—An act to amend section 1161 of the Code of Civil Procedure, relating to the unlawful detainer by tenants of real property;

Also: Assembly Bill No. 228—An act to add a new section to the Code of Civil Procedure, to be numbered 1161 $\frac{1}{2}$ , relating to persons holding over in case of the sale of real property by virtue of execution, foreclosure of mortgage or under a power of sale contained in a deed of trust;

Also: Assembly Bill No. 316—An act to amend section 4250 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-first class;

Also: Assembly Bill No. 525—An act to amend section 752 of the Code of Civil Procedure, providing who may bring actions for partition;

Also: Assembly Bill No. 526—An act to amend section 763 of the Code of Civil Procedure, in relation to judgments in partition actions and the procedure thereunder.

ARTHUR A. OHNIMUS, Chief Clerk,  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 48 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 225 and 228 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 316 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 525 and 526 read first time, and referred to Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 1128—An act to appropriate \$5,682.60 to be used for the improvement of the street or streets on and fronting on the property of the State of California, located at the Chico State Teachers College in the city of Chico;

Also: Assembly Bill No. 1234—An act making an appropriation to meet the deficiency in the appropriation for the construction and furnishing of the administration building at the Santa Barbara State Teachers College;



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—9; committee vote: Ayes—6; absent—3.

WEST, Chairman.

Assembly Bills Nos. 1128 and 1234 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Assembly Bill No. 768—An act granting to the Regents of the University of California for the use of the University of California in connection with scientific research and investigation at the Scripps Institution of Oceanography the sole and exclusive right of possession, occupation, and use of certain lands bordering on the Pacific Ocean in the county of San Diego, State of California, and State waters adjacent thereto, forbidding entry upon said lands and State waters of any persons other than officers, employees, students of the University of California, and licensees of the Regents of the University of California, making every violation of certain provisions of this act a misdemeanor, and providing for the punishment thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

WEST, Chairman.

Assembly Bill No. 768 ordered on file for second reading.

#### ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 10—Relating to the immigration policy of the United States—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—5; committee vote: Ayes—3; absent—2.

McKINLEY, Vice Chairman.

Senate Joint Resolution No. 10 ordered on file for second reading.

#### ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 593—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion;

Also: Senate Bill No. 887—An act to add a new section to be numbered 8a to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the payment of expenses of the sheriffs of the several counties incurred in the forwarding of copies of finger prints, descriptions of persons arrested or of fugitives from justice or other information to the State Bureau of Criminal Identification;

Also: Assembly Bill No. 1106—An act to amend section 1446 of the Penal Code, providing for judgment, fine and imprisonment;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

BAKER, Chairman.

Senate Bill No. 887 ordered on file for second reading.

Assembly Bills Nos. 593 and 1106 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 445—An act to authorize the Governor to appoint a commission to prepare plans and to select a site for a separate penal insti-



tution for women offenders—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

BAKER, Chairman.

Assembly Bill No. 445 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 651—An act to regulate the signing of criminal bonds by professional bondsmen, their agents or representatives, to regulate the fees charged for professional bonds by professional bondsmen, their agents or representatives; requiring reports of statements to be filed with certain public officers and to provide penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

BAKER, Chairman.

Senate Bill No. 651 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 418—An act to amend section \_\_\_\_ of the Penal Code, relating to—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

BAKER, Chairman.

Senate Bill No. 418 ordered on file for second reading.

#### ON MUNICIPAL CORPORATIONS

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1091—An act to amend sections 23, 24, 25, 27, 61, 62 and 76 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to foreclosure of liens—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; noes—2; absent—2.

LYON, Chairman.

Assembly Bill No. 1091 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 170—An act to amend section 865 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to payments of claims and registration of warrants upon nonpayment of such claims;

Also: Assembly Bill No. 1260—An act to amend section 2 of an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

LYON, Chairman.

Assembly Bills Nos. 170 and 1260 ordered on file for second reading.

#### CONSIDERATION OF DAILY FILE.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 443—An act to amend sections 1, 3, 5, 6, 6a, 7, 8, 9, 11, 12 and 13 of and to add three new sections to be numbered 6h, 6m, and 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 780—An act to amend section 122 of the "Bank Act," approved March 1, 1909, as amended, relating to the location of the principal office of the State Banking Department.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "Sacramento", and insert in lieu thereof the words "San Francisco".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the words "San Francisco", and insert in lieu thereof the word "Sacramento".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 476—An act to amend section 1761 of the Code of Civil Procedure, relating to special notice of administration proceedings and demand thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 889—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

#### AMENDMENTS FROM THE FLOOR.

During the second reading of the bill, the following amendments were offered, and their adoption moved by Senator Young:

##### AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, after the word "amended", insert a comma and the following: "relating to certain narcotic drugs".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the comma following the word "amended", insert the following: "is hereby amended".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, after the words "this act", insert the following: "or who obtains any such drugs by any forged or altered prescription or who has in possession any such drugs secured by such forged or altered prescription".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill, strike out the "e" following the second figure "8", and insert in lieu thereof the following: "3".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 104—An act to appropriate money to protect the banks of Mad River from erosion by means of brush and rock along the banks thereof.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered.

## AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "twenty-five", and substitute in lieu thereof the word "fifteen".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 586—An act to provide for the purchase by the State of California of certain matured irrigation district bonds and coupons and to secure the State for the repayment thereof and to provide a method for securing such repayment, authorizing the California Bond Certification Commission or other State authority authorized so to do, to take over the management and the control of the financial affairs of such district and making an appropriation for such purposes.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 12 of the title, strike out the comma and the balance of the line, and also strike out all of lines 13 and 14.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 41, of the printed bill, after the comma after the word "state", insert the following: "from any funds available in the estates of deceased persons fund".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 4, lines 16 and 17, of the printed bill, strike out the words "from the fund hereinafter provided for".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 4, line 41, of the printed bill, after the comma after the word "Collector", insert the words "which shall be deposited in the said estates of deceased persons fund".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 8, of the printed bill, strike out the period, and insert in lieu thereof a comma and the words "and the proceeds thereof deposited in the said estates of deceased persons fund."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5 of the printed bill, in lines 21 and 22 strike out the words "revolving fund hereinafter created", and insert in lieu thereof the following: "said estates of deceased persons fund",

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 29, of the printed bill, strike out the words "revolving fund hereinafter provided for", and insert in lieu thereof the following: "said estates of deceased persons fund".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, beginning with line 24, strike out all of lines 24 to 36, both inclusive.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 37, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 40, of the printed bill, strike out the words "and directed", and insert in lieu thereof "in its discretion".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 9, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 15, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out "two hundred twenty-five", and insert in lieu thereof "twenty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out "two hundred twenty-five", and insert in lieu thereof "twenty".

Amendment adopted.



## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 14, and insert in lieu thereof the following: "whenever the sum of forty thousand dollars shall be raised by subscription or otherwise for the unconditioned use and disposal of the Mt. Diablo park commission, the".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, strike out the hyphen and word "-five".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out lines 20 to 26, both inclusive, and insert in lieu thereof the following: "All of said sums shall be".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 3 to 11, both inclusive, and insert in lieu thereof the following:

SEC. 4. In the event of the creation by law, and the appointment by the governor, of a state park commission, with authority to administer, protect and develop all parks, outside the limits of incorporated cities, heretofore or hereafter created or acquired by the State of California, such state park commission shall succeed to and possess all the rights, powers and duties of the Mt. Diablo park commission, and shall administer and apply the appropriation hereby made, for the purposes specified in this act, and Mt. Diablo park commission shall cease to exist, and all of the provisions of the act creating such state park commission, and of all laws supplementary or amendatory thereto or granting rights, powers or duties to said state park commission, or applicable to the state park system, shall be applicable to Mt. Diablo park.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 885—An act to provide for the appointment of a commission to be known as the Carquinez Straits Bridge Commission to investigate the Carquinez Straits Bridge and any matters connected therewith or with bridges across the Carquinez Straits, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of the existing bridge by the State with a plan for financing its acquisition and the amortization of the costs by tolls; the bridge then to become a free bridge and be a part of the State highway system; or the construction of other bridges across such straits and any other pertinent matters relating to the same problem.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

An act to provide for the appointment of a commission to be known as the state bridge commission to investigate the operation of toll bridges in California and any matters connected therewith, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of any existing bridge or bridges by the state with a plan for financing acquisition of same and the amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the state highway system; or the construction of toll bridges and any other pertinent matters relating to the same problem.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the words "Carquinez straits", and insert in lieu thereof the word "state".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, strike out all of section 2 up to and including line 6 on page 2, and insert in lieu thereof the following:

The state bridge commission shall investigate any existing or contemplated toll bridges operated as connecting links of the state highway system and shall make a report to the Legislature at the forty-eighth session embodying recommendations with reference to taking over any or all existing privately owned or operated toll bridges by the State of California, with a plan for financing the acquisition of same and amortization of the cost of such acquisition by tolls; such bridge or bridges then to be free of tolls and be made a part of the state highway system; or make recommendations as to the construction of bridges, and any pertinent matter relating to the problem.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill, strike out the words "Carquinez straits", and insert in lieu thereof the word "state".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 859—An act to amend section 2533 of the Political Code, relating to the San Francisco Harbor Improvement fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 598—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 4 of the printed bill, strike out lines 1 to 18, both inclusive, and insert in lieu thereof the following:

10. If an employee receive an injury which of itself would only cause permanent partial disability, but which, combined with a previous disability, does in fact cause permanent disability in excess of seventy per cent, the employer shall provide compensation only for the physical impairment caused by the subsequent injury, as if the previous disability had not been sustained; *provided, however*, that in addition to the compensation for such permanent partial disability for such later injury, and after the cessation of the payments therefor, the employee shall be paid the remainder of the compensation that would be due for the entire permanent disability to which such later injury contributes. Such additional compensation shall be paid out of a special fund created for such purpose in the following manner;

In all cases where an injury causes death of a person who leaves no dependents but for which death compensation would have been payable under the workmen's compensation insurance and safety act of 1917, as amended, if said employee had left dependents, the employer shall pay into said treasury the sum of five hundred dollars for each such death in addition to any other payment due under said act, provided that the entire payment on account of such injury, including said five hundred dollars, shall not exceed the maximum payments provided by said act. The said treasurer shall be the custodian of this special fund and the commission shall direct the distribution thereof in accordance herewith. The controller is hereby ordered to draw his warrant on said fund from time to time in accordance with the direction of the commission and the treasurer is hereby authorized and directed to pay the same.

If any proceedings are necessary to collect from an employer said sum of five hundred dollars or to determine the liability of an employer with respect to said amount, such proceeding shall be instituted before the industrial accident commission of its own motion or by the attorney general on behalf of the State of California, and said commission is hereby vested with full jurisdiction and authority to hear and determine any and all questions or controversies arising under this act and to make and enter all orders and rules necessary to carry out the purposes herein set forth. Such

proceedings shall be tried and determined in the same manner and with the same effect as any other proceeding to collect compensation; *provided*, that if any proceeding pending before the commission it shall appear that the conditions exist under which said sum of five hundred dollars is payable into said fund, the commission may enter its order and award directing the payment thereof without further proceeding; *and provided further*, that if said sum of five hundred dollars shall be paid into the state fund and at any time thereafter any person claiming to be a dependent of said deceased employee shall establish such dependency by award, the commission may direct said sum of five hundred dollars to be paid out of said fund, or as much thereof as may be necessary, to be paid to said dependent upon the liability of the employer.

10½. In all cases in which, following a previous disability, an employee receives an injury which is not covered by (10) of this subdivision, the employer shall provide compensation for the disability caused by the subsequent injury, as if no prior disability had been suffered. In determining compensation for the subsequent injury or for death resulting therefrom, the average weekly wages shall be such sum as will reasonably represent the earning capacity of the employee at the time of the second injury.

If the above granted jurisdiction to the industrial accident commission is held unconstitutional, the powers herein conferred upon the industrial accident commission to award the payment of said sum of five hundred dollars into said fund shall devolve upon and be exercised by the superior court of the county in which said injury may be sustained. *Provided*, that any such matter may also be determined in the superior court of Sacramento county.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 691—An act to amend section 3 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following:

An act to add a new section to the Civil Code to be numbered 410, relating to foreign corporations.

Amendment adopted.

##### AMENDMENT NUMBER TWO.

Strike out all of the printed bill, which follows the period in line 1, page 1, and insert in lieu thereof the following:

A new section is hereby added to the Civil Code to be numbered 410 and to read as follows:

410. No corporation having the name of an existing corporation formed under the laws of this state or the name of a corporation organized under the laws of another state, territory, or of a foreign country, which is authorized to transact intrastate business in this state or having a name so similar to that of any such corporation as to tend to deceive, shall be entitled to comply with the provisions of sections 405 and 406 of this code until it obtains an order from a court of competent jurisdiction permanently restraining the other corporation from doing business in this state under such name and unless it files with the secretary of state a copy of such order of court, duly certified by the clerk of said court.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:



## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 5 to 29, inclusive, and on page 2 of printed bill strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

(a) The chief of the division of motor vehicles is hereby authorized to appoint all necessary state inspectors at large and in addition thereto a sufficient number of state inspectors and traffic officers to enforce the provisions of this act in each of the counties of the state and all inspectors and traffic officers appointed as provided herein are hereby vested with the authority of peace officers for the purpose of enforcing the provisions of this act.

Boards of supervisors in their respective counties and the chief of the division of motor vehicles are hereby authorized to enter into contracts providing for the appointment by the chief of the division of a sufficient number of inspectors and traffic officers to serve in such counties respectively and providing for the amount of their compensation.

Boards of supervisors in their respective counties may submit to the chief of the division a list of names of proposed traffic officers from which list the chief of the division may in his discretion make such appointments.

The compensation of such inspectors and traffic officers appointed to serve in any particular county shall be paid by the state out of that portion of the net receipts of the motor vehicle fund which such county is entitled to receive under the provisions of this act.

Inspectors and traffic officers appointed pursuant to contracts entered into as herein authorized shall be exempt from the provisions of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor."

(b) The state inspectors at large, state inspectors and state traffic officers appointed in pursuance to section 30 of this act are hereby declared to be engaged in an occupation involving unusual risks and special hazards to their lives and persons.

In the event that any such officer shall be disabled in the performance of his duties under such circumstances and to such an extent that he shall be entitled to either temporary or permanent disability payments under the terms of the "workmen's compensation, insurance and safety act" where such disability shall be of such nature as to prevent such officer from continuing in the performance of his duties there shall be paid to such disabled officer by the State of California, as salary, in addition to the amounts awarded to him by the industrial accident commission, the sum of fifteen dollars per week during the period that the disability aforesaid shall continue as determined by the industrial accident commission: *provided, however*, that no such salary payment shall be made for the first seven days of disability suffered.

It shall be the duty of the industrial accident commission, in addition to the duties prescribed in such cases, to determine and to rehear and redetermine whether the disability suffered is of such nature as to prevent such officer from continuing in the performance of his duties.

In the event that such disabled officer is employed in pursuance to any contract between the chief of the division and the board of supervisors of any county as provided in section 30 hereof, the amounts expended in accordance with this subsection shall be deducted from that portion of the net receipts of the motor vehicle fund to which such county is entitled under the provisions of this act.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 744—An act to amend section 6 and section 37 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds;



to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such district," approved May 16, 1919, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1257—An act to add a new section to the Political Code, to be numbered 4272a, relating to the compensation and expenses of the surveyor of counties of the forty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 141—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 5 of the printed bill, strike out lines 36 to 50, inclusive, and insert in lieu thereof the following:

4257a. In counties of the twenty-eighth class, the surveyor shall receive one thousand seven hundred fifty dollars for the balance of the calendar year of 1927, and shall be allowed one deputy at a salary of one thousand four hundred dollars for the same period to be paid by the county at the same time and in the same manner as other county officers. The surveyor shall also be paid the actual and necessary expenses of transportation of himself, his deputy and surveying crews, and subsistence of himself and deputy, all while in the field. He shall also be allowed four helpers at a wage of five dollars per diem, each, when actually and necessarily engaged in assisting the surveyor in the discharge of his duties. The county shall also provide for the use of the surveyor, a suitable office, office furniture, field and office equipment, lights and care for said office, office and record books, and other necessary materials for the performance of his duties.

After the first day of January, 1928, the surveyor and his deputy shall each receive ten dollars per diem while engaged in the discharge of the duties of the office, and the surveyor shall be furnished the supplies and equipment and shall be allowed the same expenses and help as hereinabove provided. In computing the per diem of the surveyor, his deputy and crews, the time spent in traveling shall be included.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 604—An act to amend section 13 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to quarantine rules.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 602—An act to add five new sections, to be numbered 16a, 16b, 16c, 16d and 16e, to an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March

11, 1907, as amended, relating to the establishment of an alternative method of procedure for the enforcement thereof by means of the organization and establishment of local food inspection and enforcement divisions of the State Board of Health.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 179—An act to add to the Code of Civil Procedure a new section, to be numbered 302, relating to the practice by attorneys in the various courts of record of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 515—An act to amend section 688 of the Code of Civil Procedure, as amended, relating to executions in civil actions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 534—An act to amend section 1599 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 576—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 631—An act to amend section 409 of the Political Code, relating to fees to be collected by the Secretary of State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 701—An act to add a new section to the Code of Civil Procedure, to be numbered section 1381, relating to who shall be deemed a party of interest in the matter of estates of deceased persons, incompetent persons, and minors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 886—An act to amend section 72 of the Penal Code of the State of California, relating to presenting false or fraudulent claims to public officers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 887—An act to amend section 653*d* of the Penal Code of the State of California, relating to retaining wages of employees upon public works.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1254—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 66—An act to amend section 204*c* of the Code of Civil Procedure, relating to duties of jury commissioners.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the period and the word "oaths.", strike all of lines 14, 15, 16, 17, 18, 19 and 20, and insert in lieu thereof the following: "In counties of the second class he shall have such assistants and be allowed all such expenses as are necessary for the proper performance of his duties, such assistants to be appointed by a majority of the judges of the superior court. The salaries of such assistants and the expenses incurred shall be paid out of the general fund of the county on orders signed by the presiding judge or by a majority of the judges of the superior court."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 519—An act to amend section 172a of the Civil Code of the State of California, relating to the management of community real property.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, lines 3, 4 and 5, of the printed bill, insert the following: "The husband has the management and control of the community real property, but the wife, either personally or by duly authorized agent, must join with him".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, beginning with the word "The", strike out the remainder of line 5, all of lines 6, 7, 8, 9, 10, 11 and 12, including the comma following the word "agent" in line 12.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, after the comma following the word "section", insert the following: "affecting any property standing of record in the name of the husband alone,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1045—An act to amend the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by repealing section 25 thereof, relating to principal and contracting employers.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the figures "1927", and in lieu thereof insert the figures "1917".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 278—An act appropriating money to pay the claim of A. J. and T. D. Borie against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 279—An act appropriating money to pay the claim of Charles G. Johnson against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 280—An act appropriating money to pay the claim of Niagara Fire Insurance Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 281—An act appropriating money to pay the claim of Pacific Tank & Pipe Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 282—An act appropriating money to pay the claim of H. Mortimer Smith against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 283—An act appropriating money to pay the claim of Mrs. J. H. Newman against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 284—An act appropriating money to pay the claim of Alex Fagerstrom against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 285—An act appropriating money to pay the claim of W. W. Sharp, treasurer of the county of Lassen, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 271—An act appropriating money to pay the claim of Bernard Verbeek against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 272—An act appropriating money to pay the claim of the California Highway Commission against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 273—An act appropriating money to pay the claim of H. Moffatt Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 274—An act appropriating money to pay the claim of H. Levy Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 275—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 276—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 277—An act appropriating money to pay the claim of Clark and Henery Construction Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 67—An act appropriating money to pay the claim of John L. Berry, as county treasurer of the county of Siskiyou, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 72—An act appropriating money to pay the claim of W. M. Hughes, as county treasurer of the county of Madera, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 152—An act making an appropriation to pay the claim of the Gold Buckle Association against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 166—An act appropriating money to pay the claim of Galen W. Morrill against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 172—An act appropriating money to pay the claim of John M. Daly, as county treasurer of the county of Tulare, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 270—An act appropriating money to pay the claim of Salvatore Spingola against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1210—An act relating to the holding of the tenth Olympiad in California, providing for the issuance and sale of State bonds to be known as "California Tenth Olympiad bonds," providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditure of the moneys in said fund for the said purposes, creating a commission to be known as the "California Olympiad Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1175—An act providing for the building of a causeway across the Sutter By-pass in Sutter County, State of California, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 185—An act to amend the Political Code of the State of California by adding thereto certain new sections to be known as and numbered sections 2331a, 2331b, 2331c, 2331d, 2331e, 2331f,

2331*g*, 2332*a* and 2347, relative to the care and rehabilitation of physically defective and handicapped persons under the age of twenty-one years by the State of California, under the direction and supervision of the Department of Public Welfare, and appropriating funds therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 286—An act appropriating money to pay the claim of the city of Berkeley against the State of California for the construction of electroliners upon that portion of Bancroft way in said city of Berkeley, fronting upon property of the University of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 434—An act appropriating money to pay the claim of the Exchange Orange Products Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 473—An act making an appropriation to pay the claim of Jennie Martin against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 627—An act making an appropriation to pay the claim of the county of Sacramento against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 732—An act appropriating money to pay the claim of city of Los Angeles against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 882—An act appropriating money to pay the claim of C. G. Celio & Sons against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1070—An act to make an appropriation to pay the claim of Vina Rais against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1153—An act making an appropriation to pay the claim of the Red River Lumber Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1186—An act making an appropriation to pay the claim of F. O. Butler against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1192—An act making an appropriation to pay the claim of the Chalfant Cooperative Power Association against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1203—An act appropriating money to pay the claim of C. W. Booth against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1248—An act making an appropriation to pay the claim of Pacific Employers Insurance Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1250—An act appropriating money to pay the claim of John F. Huberty against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 25—An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled "An act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, and all other acts or parts of acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1258—An act appropriating money for premiums at fairs or exhibitions held by the Forty-sixth District Agricultural Association during the eightieth and eighty-first fiscal years.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 42—An act to prevent the purchase or sale of manufactured articles from which identification marks have been removed.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF SENATE BILLS.

Senate Bill No. 48—An act reserving certain lands situated in Mission Bay, in the county of San Diego, to be used as a State park, providing for the management of the same by a commission; prescribing the duties and powers of such commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Christian, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Weller, West, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 865—An act to authorize the Attorney General as prochein ami or next friend acting for and on behalf of the Indians of California, to bring suit or suits against the United States in the court of claims in the event that the Congress of the United States

authorizes the same and making an appropriation to cover expenses incident thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 865 passed by the following vote:

AYES—Senators Boggs, Breed, Christian, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Lyon, McKinley, Mueller, Pedrotti, Rush, Sharkey, Slater, Weller, West, and Young—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 11 of article VI thereof, relating to municipal courts.

On motion of Senator Weller, Senate Constitutional Amendment No. 28 ordered re-referred to Committee on Constitutional Amendments.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 856—An act transferring the operation and control of certain of the flood control works of the Sacramento and San Joaquin Drainage District to the Department of Public Works, and providing that the cost thereof shall be paid by the State and relieving said district and the Reclamation Board and its members from responsibility and liability for operation or maintenance of flood control works; providing for the cancellation of bonds of said district authorized but not sold; authorizing the Reclamation Board to levy a supplementary assessment and to order called assessments levied in connection with project number six; authorizing the issuance of bonds of said district based on and secured by assessments upon the land within the boundaries of Project No. 6 of said district; authorizing the validation of said bonds; authorizing the State Board of Control to purchase and invest in warrants and bonds of said district; authorizing land owners within said Project No. 6 to pay assessments in warrants or bonds of said district; adding to, taking away from and altering an act known as the Reclamation Board Act, approved December 24, 1911, as amended, and repealing all other acts or parts of acts in so far as they are in conflict herewith—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District," to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose, and declaring this act to be an emergency measure;



Also: Senate Bill No. 763—An act to add a new section to the Political Code to be known as section 738*bl*, relating to the salary of the superior judge of Mendocino County.

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 724—An act to add a new section to the Political Code, to be numbered 1734*d*, providing for the exclusion of school districts annexed to city high school districts under the provisions of section 1734*a* of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 724 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Christian, Cobb, Evans, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Pedrotti, Rush, Sharkey, Slater, Weller, West, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 429—An act to repeal sections 635*a*, 635*b*, 635*c*, 635*d*, 635*e*, 635*f*, 635*g*, 635*h*, 635*i*, 635*j*, 635*k* and 635*l* of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 429 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

### SENATE CONCURRENT RESOLUTION No. 20.

Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a commission to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters.

WHEREAS, The misuse of habit forming drugs constitutes a grave menace to society; and

WHEREAS, There is a great need for more vigorous action on the part of the State of California to combat this evil; and

WHEREAS, The states of Washington, Oregon and California are particularly subject to the illegal traffic in narcotic drugs on account of their accessibility through the various ports; and

WHEREAS, A united action on the part of these states is essential in order to combat this evil; now, therefore be it

*Resolved by the Senate of the Legislature of the State of California, the Assembly concurring,* That there shall be and hereby is created a commission to consist of one member of the Senate, to be appointed by the President of the Senate, one member of the Assembly, to be appointed by the Speaker of the Assembly, and one citizen of the State of California, to be appointed by the Governor, said commission to act as like commissions from the states of Washington and Oregon, for the purpose of considering the enactment of effective and uniform laws governing traffic in narcotic drugs; be it further

*Resolved*, That the commission hereinabove named shall also consider the advisability of harmonizing State laws with federal narcotic laws in order to make possible closer cooperation between State and federal law enforcing officials; be it further

*Resolved*, That the commission shall also make a complete study pertaining to the proper treatment of narcotic drug addicts and shall gather such other necessary information, formulate recommendations, and prepare and submit to the next legislative assembly of the State of California their findings therein; be it further

*Resolved*, That the members of said commission shall receive no compensation for their services but shall be paid their necessary traveling and other expenses. The sum of five hundred dollars is hereby set aside from the contingent fund of the Senate, and a like sum from the contingent fund of the Assembly, and made available for the purpose of defraying the expenses, if any, of such committee and committeemen, which expenses shall be paid equally from such contingent funds of the Senate and Assembly, and the State Controller is hereby authorized and directed to draw his warrant in favor of the members of said committee for such expenditures as may be certified to him from time to time by said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 20 ordered transmitted to the Assembly.

Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 764 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 105—An act to add a new section to the Political Code, to be numbered 737*cc*, relating to the salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 105 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones,

H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 763—An act to amend section 737*x* of the Political Code, relating to the salary of the superior judge in Mendocino County.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Handy moved to refer Senate Bill No. 763 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the title of the printed bill, strike out the letters "B L" following the word "eight", and insert in lieu thereof the following: "B 1".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the letters "bl" following the figures "738", and insert in lieu thereof the following: "b 1".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, beginning with line 5, strike out the balance of the printed bill, being lines 5, 6, 7 and 8, and insert in lieu thereof the following: "738*1*. The annual salary of the judge of the superior court in the county of Mendocino is six thousand dollars".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 763, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and on motion of Senator Handy adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 597—An act to add a new section to the Penal Code, to be numbered 737*u*, relating to the salary of superior judge in Contra Costa County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 597 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock.

WITHDRAWAL OF SENATE BILL.

Senator Hollister asked for and was granted unanimous consent to withdraw Senate Bill No. 354 from the file, and it was re-referred to Committee on Judiciary.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing, has examined Senate Bill No. 476—An act to amend section 1761 of the Code of Civil Procedure, relating to special notice of administration proceedings and demand thereof—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 290—An act to amend sections 20 and 8 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921, as amended, and adding two sections, to be numbered section 64 and section 24:

Also: Senate Bill No. 24—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers:

Also: Senate Bill No. 95—An act to amend section 1197 of the Political Code, relating to election ballots, the manner of voting and conduct of elections;

Also: Senate Bill No. 98—An act to amend section 361a of the Political Code, relating to a Department of Agriculture;

Also: Senate Bill No. 793—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIi, embracing sections 372 to 372g, relative to a Department of Public Health.

Also: Senate Bill No. 166—An act to amend section 653p of the Civil Code, relating to nonprofit cooperative agricultural, viticultural and horticultural associations;

Also: Senate Bill No. 360—An act to amend the "California Water Storage District Act" approved June 3, 1921, as amended by amending the title to said act, and sections 5, 8, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 29, 32, 34, 38, 41, 44, 45, 47, 49, 60, and 64 thereof, by adding a new section to be numbered 19a, and relating to the reapportionment of assessments in case of the subdivision of lands; by adding a new section to be known as 19b, relating to the reassessment of land after a five-year period; by adding a new section to be known as 20a, relating to additional help for county treasurer of any county in which any lands contained in the district are located; by adding a new section, to be numbered 23½, and relating to the allocation of the net returns from the generation of electric power; by adding nineteen new sections, to be numbered sections 64a, 64b, 64c, 64d, 64e, 64f, 64g, 64h, 64i, 64j, 64k, 64l, 64m, 64n, 64o, 64p, 64q, 64r, and relating to the inclusion and exclusion of lands in and from water storage districts, and the manner and incidents thereof, and by adding a new section, to be numbered 64s, and relating to the authority of guardians, executors and administrators, to act as owners of title or evidence of title;

Also: Senate Bill No. 110—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde Joint Levee District of Riverside and Imperial counties, California; the properties and functions of the Palo Verde Drainage District; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable lowlands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, manage-



ment and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 6, 7, 10, 18, 25, 26, 27, 28, and 29 thereof, and by adding thereto new sections to be numbered and providing as follows, to wit:

Section 8a, relating to the offices of assessor, collector and treasurer; section 8b, relating to consolidation and segregation of the offices of assessor and collector; section 8c, relating to deputies to assessor and collector; section 15b, relating to lack of benefits to improvements in district of operation and maintenance of irrigation system; section 27a, relating to time for completion of assessment roll and time for equalizing assessments; section 27b, relating to hearing as to equalization of values and duty of secretary in respect thereto; section 28a, relating to levy of taxes by boards of supervisors; section 28b, relating to duty of district attorney and attorney general on default in levy and collection of taxes; section 28c, relating to extension of time for duties in assessment, levy and collection of taxes; section 28d, relating to collection of unsecured taxes; section 28e, relating to addition of unpaid water tolls and charges to taxes; section 28f, relating to assessment lien; section 28g, relating to change of assessments and refund of erroneous taxes; section 28h, relating to notice that assessments are due and collection and delinquency of taxes; section 28i, relating to suit against delinquents to collect taxes; section 28j, relating to duty of collector on sale for delinquent taxes; section 28k, relating to sale for delinquent taxes; section 28l, relating to rights of owner of realty resold in default of payment, and purchase by district; section 28m, relating to certificates of sale; section 28n, relating to record book of property sold for taxes and interest on redemption; section 28o, relating to redemption of property and collector's deed; section 28p, relating to delinquent taxes and deed on dissolution of district; section 28q, relating to tax deed as prima facie and conclusive evidence and effect thereof; section 28r, relating to assessment roll or delinquent list as prima facie evidence; section 28s, relating to misnomers; section 28t, relating to waste after sale for taxes, district's rights and actions to enforce the same; section 28u, relating to settlements between secretary and collector; section 29a, relating to warrants unpaid for lack of funds and payment thereof; section 62, relating to assessment and equalization schedule for the year 1927; section 63, relating to effect of unconstitutionality and intention of this act; and section 64, relating to short title of this act;

Also: Senate Bill No. 568—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools;

Also: Senate Bill No. 716—An act to amend section 529 of the Civil Code, relating to bridge, ferry, wharf, chute and pier corporations;

Also: Senate Bill No. 814—An act relating to stills and other devices for the manufacture or production of intoxicating liquor for beverage purposes, providing a penalty for the violation thereof and repealing all inconsistent acts;

Also: Senate Concurrent Resolution No. 26 Relative to the observance of American Forest Week, April 24 to April 30, 1927;

Also: Senate Bill No. 337—An act to amend sections 24 and 25 of an act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, approved June 16, 1913, as amended, relating to party conventions and nomination papers;

Also: Senate Bill No. 41—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the license fees to be paid by licensed employment agencies and surety bonds required of them;

Also: Senate Bill No. 43—An act to amend section 18 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by providing for penalties for violations of the said act;

Also: Senate Bill No. 111—An act to amend section 17 of the "Juvenile Court Law," approved June 5, 1915, as amended, relating to probation committees;

Also: Senate Bill No. 241—An act to amend section 10 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled, 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner, and making an appropriation therefor', approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the licensing of real estate brokers and salesmen;

Also: Senate Bill No. 682—An act to repeal section 598 of the Civil Code, relating to the sale of real property, and granting of easements by religious corporations;

Also: Senate Bill No. 808—An act to amend section 4463 of the Political Code, relating to newspapers;

Also: Senate Bill No. 835—An act to amend section 652 of the Civil Code, relating to the consolidation of colleges;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1927, at 4 o'clock p.m.

JONES, RAY, Chairman.

### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 554—An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains; and repealing the act entitled "An act to promote the safety of employees and traveling public upon railroads by prohibiting certain persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 554 refused passage by the following vote:

AYES—Senators Canepa, Crowley, Fellom, Garrison, Gray, Inman, Maloney, Mueller, Murphy, Pedrotti, Sharkey, Swing, and Wagy—13.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Handy, Hollister, Ingram, Johnson, Jones, Ray, Lyon, McKinley, Nelson, Rush, Slater, Weller, West, and Young—22.

### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Weller:

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Request referred to Committee on Rules.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Weller, to introduce a bill entitled—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Waggy, Weller, West, and Young—34.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Weller: Senate Bill No. 892—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Bill read first time, and referred to Committee on Judiciary.

## ADJOURNMENT OUT OF RESPECT.

On motion of Senator Weller, duly seconded by Senator Slater, the Senate decided by rising vote that when adjournment for this day should be had such adjournment should be out of respect to the memory of the late Charles W. Bell, former member of this Senate.

## RECESS.

At twelve o'clock and forty-three minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 157—An act to amend sections 4, 6, 8, and 13 and to add two new sections to be numbered 24 and 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two



or more municipalities or extending into the territory of one of more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds." approved April 21, 1911, as amended, relating to the street improvements—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 157 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 133—An act to amend sections 2322~~x~~21, 2322~~x~~22 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class, and second class—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 133 ordered on unfinished business file.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 213—An act to amend section 2526~~a~~ of the Political Code, relating to the powers of the Board of State Harbor Commissioners;

Also: Assembly Bill No. 1000—An act to reserve a part of San Francisco Bay and lands bordering thereon, for park purposes only;

Also: Assembly Bill No. 1041—An act to amend section 4 of an act entitled "An act to provide for bridges across navigable streams, and across estuaries, fords, swamps, or arms of bays that may be outside of the line of navigable waters," approved March 14, 1881, relating to the notification of the State Engineer; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

GRAY, Acting Chairman.  
CANEPA.  
CHAMBERLIN.  
EVANS.  
NELSON.  
MUELLER

Assembly Bills Nos. 213, 1000 and 1041 ordered on file for second reading.

#### ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 805—An act to amend section 626~~s~~ of the Penal Code, relating to the protection of game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—10; absent—5.

CHAMBERLIN, Chairman.

Assembly Bill No. 805 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 199—An act to amend section 637~~c~~, of the Penal Code, relating to the protection of game;



Also: Assembly Bill No. 601—An act to amend the Penal Code by adding thereto a new section to be numbered 628k, relating to the protection of fish and game;

Also: Assembly Bill No. 660—An act to amend section 628f of the Penal Code, relating to the protection of fish and game;

Also: Assembly Bill No. 649—An act to amend section 626c of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 654—An act to amend section 626d of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 1038—An act to amend section 635 of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 448—An act to amend section 629 of the Penal Code, relating to the installation and maintenance of fish screens;

Also: Assembly Bill No. 653—An act to amend section 626i of the Penal Code, relating to the limit of deer that may be taken, killed, destroyed or possessed in any one open season;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—10; absent—5.

CHAMBERLIN, Chairman.

Assembly Bills Nos. 199, 601, 660, 649, 654, 1038, 448 and 653 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 998—An act to amend section 626f of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 457—An act to amend sections 15 and 37 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended;

Also: Assembly Bill No. 807—An act to amend sections 1 and 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the fish and game commission," approved May 18, 1917, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—10; absent—5.

CHAMBERLIN, Chairman

Assembly Bills Nos. 998 and 807 ordered on file for second reading.

Senate Bill No. 457 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 644—An act to amend section 2a of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,'" approved March 21, 1911, and all acts or parts of acts inconsistent herewith,'" approved May 19, 1915, approved May 8, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to committee.

Committee membership—15; committee vote: Ayes—10; absent—5.

CHAMBERLIN, Chairman.

Assembly Bill No. 644 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 583—An act to amend section 634 of the Penal Code, relative to the protection of fish and game—has had the same under consideration, and respectfully reports the same back without recommendation, except that the amendments be adopted.

Committee membership—15; committee vote: Ayes—10; absent—5.

CHAMBERLIN, Chairman.

Senate Bill No. 583 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 48—An act authorizing the State Department of Education, with the approval of the State Board of Control, to grant to the California Highway Commission certain lands belonging to the State of California situated in Siskiyou County;

Also: Assembly Bill No. 404—An act to amend section 551 of the Civil Code, relating to the construction of canals, flumes, and other appliances for conducting water over public highways;

Also: Assembly Bill No. 728—An act to amend section 2687 of the Political Code, relating to laying out roads;

Also: Assembly Bill No. 751—An act to amend section 1 of an act entitled "An act authorizing the State Director of Institutions with the approval of the State Board of Control to grant to the county of Los Angeles for highway and road purposes the use of certain lands belonging to the State of California situated in Los Angeles County," approved May 18, 1925;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

SHARKEY, Chairman.

BAKER.

WAGY.

SWING.

INGRAM.

FELLOM.

HANDY.

McKINLEY.

BREED.

ALLEN, J. M.

Assembly Bills Nos. 48, 404, 728 and 751 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1128—An act to appropriate \$5,682.60 to be used for the improvement of the street or streets on and fronting on the property of the State of California, located at the Chico State Teachers College in the city of Chico.

Also: Assembly Bill No. 1234—An act making an appropriation to meet the deficiency in the appropriation for the construction and furnishing of the administration building at the Santa Barbara State Teachers College;

Also: Assembly Bill No. 761—An act appropriating money to pay the claim of W. A. Sloane against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—11; absent—7.

INMAN, Chairman.

Assembly Bills Nos. 1128, 1234 and 761 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 758—An act to amend section 737p of the Political Code, relating to the salary of the judges of the superior court in and for the county of Stanislaus;

Also: Assembly Bill No. 881—An act to amend section 737e of the Political Code, relating to the salary of the judges of the superior court in the county of San Mateo;

Also: Assembly Bill No. 948—An act to amend section 737m of the Political Code, relating to the salaries of the superior judges in Solano and Napa counties;

Also: Assembly Bill No. 1100—An act to amend section 737ab of the Political Code, relating to salary of the judge of Merced County;

Also: Assembly Bill No. 1152—An act to amend section 737n of the Political Code, relating to the salary of the superior court judge of the county of Butte;

Also: Assembly Bill No. 1206—An act to amend section 737d of the Political Code and to add a new section to said code, to be numbered 737f, relating to salaries of judges of the superior court;

Also: Assembly Bill No. 1239—An act to amend section 737c of the Political Code, relating to the salary of the superior judge of Ventura County;

Also: Assembly Bill No. 778—An act to add a new section to the Political Code to be numbered 737y, relating to the salary of the judge of the superior court of the county of San Benito;  
Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bills Nos. 758, 881, 948, 1100, 1152, 1206, 1239 and 778 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 296—An act to add a new section to the Political Code, to be numbered 737x, relating to the salaries of the superior judges of the county of Kern;

Also: Assembly Bill No. 427—An act to add a new section to the Political Code, to be numbered 737u, relating to the salary of the judge of the superior court of the county of Amador;

Also: Assembly Bill No. 428—An act to add a new section to the Political Code to be numbered 737r, relating to the salary of the judge of the superior court of the county of Calaveras;

Also: Assembly Bill No. 586—An act to amend section 737 of the Political Code, relating to the salaries of the superior judges in Inyo, Mariposa and Mono counties;

Also: Assembly Bill No. 655—An act to amend section 738a of the Political Code, relating to the salaries of judges of the superior courts in and for the counties of Lassen and Plumas;

Also: Assembly Bill No. 657—An act to add a new section to the Political Code, to be numbered 737z, relating to the salary of the judge of the superior court in and for the county of Modoc;

Also: Assembly Bill No. 729—An act to amend section 737g of the Political Code, relating to salaries of the judges of the superior court of the county of Santa Cruz;

Also: Assembly Bill No. 739—An act to add a new section to the Penal Code, to be numbered 737c, relating to the salary of superior judge in Contra Costa County; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bills Nos. 296, 427, 428, 586, 655, 657, 729 and 739 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 84—An act to add a new section to the Political Code, to be numbered 738ab, relating to the salary of the superior court judge of the county of Marin;

Also: Assembly Bill No. 105—An act to add a new section to the Political Code, to be numbered 738e, relating to the annual salary of the superior court judge of the county of Tuolumne;

Also: Assembly Bill No. 109—An act to add a new section to the Political Code, to be numbered 737i, relating to the salary of the judge of the superior court in and for the county of Shasta;

Also: Assembly Bill No. 153—An act to add a new section to the Political Code, to be numbered 737r, relating to the salaries of the superior court judges in Riverside County;

Also: Assembly Bill No. 160—An act to amend section 737k of the Political Code, relating to the annual salaries of the superior court judges of the State of California in and for the county of Santa Barbara;

Also: Assembly Bill No. 188—An act to add a new section to be numbered 737l to the Political Code, relating to the salary of the judge of the superior court of Nevada County;

Also: Assembly Bill No. 256—An act to add a new section to the Political Code, to be numbered 737abc, relating to the salary of the superior court judge of the county of Del Norte;

Also: Assembly Bill No. 290—An act to amend section 737ccc of the Political Code, relating to the salaries of judges of the superior courts of the State of California in and for the counties of San Joaquin, San Bernardino, Orange and Sacramento;



Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bills Nos. 84, 105, 109, 153, 160, 188, 256 and 290 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 7—An act to add a new section to the Political Code to be numbered 737*g*, relating to the salary of the judge of the superior court of the county of El Dorado;

Also: Assembly Bill No. 49—An act to add a new section to the Political Code, to be numbered 737*i*, relating to the salaries of superior judges of Colusa County;

Also: Assembly Bill No. 62—An act to add a new section to the Political Code, to be numbered 737*gg*, relating to salary of judge of the superior court in and for the county of Sutter;

Also: Assembly Bill No. 63—An act to add a new section to the Political Code, to be numbered 737*r*, relating to salary of judge of the superior court in and for the county of Yolo;

Also: Assembly Bill No. 64—An act to add a new section to the Political Code, to be numbered 737*r*, relating to salary of judge of the superior court in and for the county of Yuba;

Also: Assembly Bill No. 73—An act to add a new section to the Political Code, to be numbered 737*i*, relating to the annual salary of the superior court judge of Madera County;

Also: Assembly Bill No. 75—An act to amend section 737*e* of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bills Nos. 7, 49, 62, 63, 64, 73 and 75 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 208—An act to amend section 737*r* of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco;

Also: Senate Bill No. 594—An act to amend section 737*e* of the Political Code, relating to the salaries of the judges of the superior court of the county of San Mateo;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Senate Bills Nos. 208 and 594 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1236—An act to amend section 366 of the Political Code, relating to the Department of Institutions—has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and that they be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bill No. 1236 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use—has had the same under consideration, and respectfully reports the same



back with amendments, and recommends that the amendments be adopted, and that it be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bill No. 1242 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1249—An act to amend section 4274 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-fifth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bill No. 1249 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 38—An act providing for a commission on pensions of State employees; providing for the appointment of members thereof; prescribing the powers and duties of such commission, and making an appropriation therefor;

Also: Assembly Bill No. 269—An act appropriating money to pay the claim of W. H. Stitt against the State of California;

Also: Assembly Bill No. 577—An act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses;

Also: Assembly Bill No. 777—An act appropriating money to pay the claim of Grace E. Kelshaw, as county treasurer of the county of San Luis Obispo, against the State of California;

Also: Assembly Bill No. 1202—An act to appropriate money to pay the claim of L. E. Hallowell, as county clerk of the county of Ventura, against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and that they be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bills Nos. 38, 269, 577, 777 and 1202 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 74—An act to amend section 736a of the Political Code, relating to the salaries of the justices of the district courts of appeal;

Also: Assembly Bill No. 76—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices;

Also: Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and that they be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—9; absent—4.

SWING, Chairman.

Assembly Bills Nos. 74 and 76 ordered re-referred to Committee on Finance.

Senate Bill No. 269 ordered re-referred to Committee on Finance.

SECOND READING OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Swing asked for and was granted unanimous consent to take up, out of the regular order, for second reading, Assembly Bill No. 1242.

Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out words "the chairman", at the end of the line, and all of lines 7, 8, 9, 10, 11 and 12.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out small "e" in the word "each", and insert the capital "E".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1280—An act to add a new section to the Political Code, to be numbered 4041a, authorizing counties to provide and maintain buildings, halls, meeting places and supply stations for the use of the United States War Department and the Navy Department, or either of them.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1280 read first time, and referred to Committee on Military Affairs.

## REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 263—An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act—reports that it has met a like committee of the Assembly, consisting of Assemblymen Scudder, Adams and Fisher, and that the Committee on Free Conference agreed upon and recommends that the Assembly concur in the Senate amendments, and that Assembly Bill No. 263 be further amended as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, as amended in Senate April 7, 1927, strike out the comma after the word "establishment".

## AMENDMENT NUMBER TWO.

On page 2, line 32, of the printed bill, as amended in Senate April 7, 1927, after the word "hospitals", add a comma.

## AMENDMENT NUMBER THREE.

On page 2, line 34, of the printed bill, as amended in Senate April 7, 1927, after the word "eggs", add a comma.

CHAMBERLIN,  
ALLEN, N. M.,  
WELLER.

Senate Committee on Free Conference.

SCUDDER,  
ADAMS,  
FISHER,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report of Committee on Free Conference and amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Evans, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—23.

NOES—None.

#### LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Breed, granted leave of absence for the remainder of this day.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District;" to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose, and declaring this act to be an emergency measure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 883 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Evans, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 362, amended March 25, 1927, and April 7, 1927, to Senator Allen, J. M., as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, lines 21 and 22, of the printed bill, as amended March 25, 1927, and April 7, 1927, strike out the following: "or admitted to bail".

## AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, as amended March 25, 1927, and April 7, 1927, after the word "discharged", strike out the period and insert in lieu thereof a semicolon and add the following: "Provided, however, that in bailable cases the defendant may be admitted to bail, in the discretion of the judge, pending decision of the appeal or petition for hearing."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 362, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, J. M., Special Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 576 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Handy, Ingram, Inman, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wazy, and Weller—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 856—An act transferring the operation and control of certain of the flood control works of the Sacramento and San Joaquin Drainage District to the Department of Public Works, and providing that the cost thereof shall be paid by the State and relieving said district and the Reclamation Board and its members from responsibility and liability for operation or maintenance of flood control works; providing for the cancellation of bonds of said district authorized but not sold; authorizing the reclamation board to levy a supplementary assessment and to order called assessments levied in connection with Project No. 6; authorizing the issuance of bonds of said district based on and secured by assessments upon the land within the boundaries of Project No. 6 of said district; authorizing the validation of said bonds; authorizing the State Board of Control to purchase and invest in warrants and bonds of said district; authorizing landowners within said Project No. 6 to pay assessments in warrants or bonds of said district; adding



to, taking away from and altering an act known as the Reclamation Board Act, approved December 24, 1911, as amended, and repealing all other acts or parts of acts in so far as they are in conflict herewith.

Bill read third time.

PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 856 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 230—An act to amend section 2322 of the Political Code, relative to the horticultural commissioner of counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 230 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray; Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Tubbs, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 672—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 672 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Tubbs, Wagy, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 475—An act to amend section 19.6 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1908, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, relating to the salaries of probation officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 475 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Tubbs, Wagv, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1196—An act to amend section 4248 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1196 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Slater, Tubbs, Wagv, and Weller—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 615—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to the sessions of the superior court and to changes in place of holding the superior court, respectively.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 615 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Pedrotti, Sharkey, Slater, Tubbs, Wagy, and Weller—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CANEPA IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Senator Canepa of the Eighteenth District was called to the chair.

Assembly Bill No. 26—An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 26 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and Young—29.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 150—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 150 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and Young—28.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 196—An act to amend section 1810b of the Code of Civil Procedure, relating to attorney's fees against minor fixed by court; payment of judgments in actions by or on behalf of minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 196 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Murphy, Nelson, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and Young—28.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 704—An act to amend an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, by adding two new sections numbered 9a and 9b.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 704 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Wag, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 264—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products, and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses, and fix the penalties therefor, and to repeal all conflicting acts or parts of acts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 264 passed by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, and Young—28.

NOES—Senators Canepa, and Chamberlin—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ASSEMBLY CONSTITUTIONAL AMENDMENT No. 21.

A resolution to propose to the people of the State of California an amendment to section 14 of article I of the constitution of said State, relating to the rights of private property.

*Resolved by the Assembly, the Senate concurring.* That the Legislature of the State of California, at its forty-seventh regular session, commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 14 of article I of the constitution be amended to read as follows:

Sec. 14. Private property shall not be taken or damaged for public use without just compensation having first been made to, or paid into court for, the owner, and no right of way shall be appropriated to the use of any corporation, except a municipal corporation or a county or the State until full compensation therefor be first made in money or ascertained and paid into court for the owner, irrespective of



any benefits from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in a court of record, as shall be prescribed by law; *provided*, that in an action in eminent domain brought by the State, or a county, or a municipal corporation, or a drainage, irrigation, levee, or reclamation district, the aforesaid State or political subdivision thereof or district may take immediate possession and use of any right of way required for a public use whether the fee thereof or an easement therefor be sought upon first commencing eminent domain proceedings according to law in a court of competent jurisdiction and thereupon giving such security in the way of money deposited as the court in which such proceedings are pending may direct, and in such amounts as the court may determine to be reasonably adequate to secure to the owner of the property sought to be taken immediate payment of just compensation for such taking and any damage incident thereto, including damages sustained by reason of an adjudication that there is no necessity for taking the property, as soon as the same can be ascertained according to law. The court may, upon motion of any party to said eminent domain proceedings, after such notice to the other parties as the court may prescribe, alter the amount of such security so required in such proceedings. The taking of private property for a railroad run by steam or electric power for logging or lumbering purposes shall be deemed a taking for a public use, and any person, firm, company or corporation taking private property under the law of eminent domain for such purposes shall thereupon and thereby become a common carrier.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 21 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—31.

NOES—Senator Jones, Ray—1.

Title read and approved.

Assembly Constitutional Amendment No. 21 ordered transmitted to the Assembly.

Assembly Bill No. 1222—An act to provide for the creation of a board of parole commissioners for each county in this State for the parole of persons confined in city, county, or city and county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1222 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 412—An act to amend sections 19, 79 and 79a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and

payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and to add new sections to said act, which said new sections shall be designated sections 79*b*, 79*c*, 79*d*, 79*e*, 79*f*, 79*g*, 79*h*, 79*i*, 79*j*, 79*k*, and 79*l*, relating to bonds of contractors and definition of terms used in said act, and to proceedings thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 412 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and Young—30.

NOES—None.

Assembly Bill No. 401—An act to amend section 3787 of the Political Code and relating to the effect of certain deeds to the State.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 401 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "conclusive", add the word "evidence."

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "all", add the word "other".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 401, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Boggs adopted.

Bill ordered to print.

Assembly Bill No. 1027—An act to amend an act entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the land owners; providing for the joint government and control thereof of the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received

in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardian, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, as amended, by amending section 2 thereof and by adding new sections thereto, to be numbered 2*b*, 2*c* and 2*d*, relating to the formation of such districts and the selection of officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1027 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnsen, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 867—An act to amend section 628*b* of the Penal Code, relating to protection of black bass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 867 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 244—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mueller moved to refer Assembly Bill No. 244, as amended March 16, 1927, to Senator Swing, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 16, 1927, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

An act to add a new section to be numbered six hundred twenty-six *da* to the Penal Code, providing for the taking of rabbits in fish and game district four and three-quarters in any number and at any time of the year.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended March 16, 1927, strike out lines 1 to 27, both inclusive, and strike out all of page 2 and insert in lieu thereof the following:

SECTION 1. A new section to be numbered section 626*da* is hereby added to the Penal Code to read as follows:

626*da*. Brush, cottontail or any other rabbits may be hunted, taken or killed, in fish and game district four and three-quarters in any number and at any time of the year.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 244, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Mueller adopted.

Bill ordered to print.

Assembly Bill No. 27—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Handy moved to refer Assembly Bill No. 27 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the word "August", and insert in lieu thereof the word "June".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the word "July", and insert in lieu thereof the word "May".

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, strike out the comma after the word "beds", and insert in lieu thereof the following: "or in any stream on which there is located a salmon spawn-taking station".

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, after the word "with", add the following: "spear or".

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, after the comma following the word "salmon", insert the following: "or who at any time takes, catches or kills more than two salmon during any one calendar day".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out that part of line 9 following the comma after the word "included", and strike out all of lines 10 and 11, and that part of line 12 preceding the word "or", and insert in lieu thereof the following: "spears any salmon".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 27, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Special Committee.

Report read, and on motion of Senator Handy adopted.

Bill ordered to print.

Assembly Bill No. 1193—An act to amend sections 4, 7 and 10 of an act entitled "An act providing for the improvement, development, or protection of any harbor, bay, inlet or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to



have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof," approved June 11, 1915, as amended, relating to surveys, appointment of employees and other appointees, management of work and payment of compensation of commission and claims against the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1193 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 197—An act to provide for the acquisition by the State Department of Finance, upon behalf of the State, by gift, devise, grant or other conveyance, of the Donner Monument and lands contiguous thereto; and for the improvement of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 197 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Tubbs, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1023—An act to amend sections 2754, 2755 and 2768 of the Political Code, relative to permanent road divisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1023 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 623—An act to provide for the organization and government of public park districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 623 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Slater, Swing, Tubbs, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1125—An act to amend section 602b of the Political Code, relating to compensation insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1125 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1068—An act to amend section 690 of the Code of Civil Procedure, relating to the exemption of life insurance benefits from execution or attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1068 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 40—An act to amend section 3 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without Governor's approval on February 25, 1901, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 40 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1189—An act providing for the propounding and prosecution of a claim by and in the name of the State of California against the government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said government of all moneys heretofore paid illegally into the federal treasury as a direct tax upon property situated in the State of California, providing for the recovery of same, authorizing the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this act, providing for notice to and procedure by claimants of such moneys and fixing a prescription period after which such moneys shall escheat to and become the absolute property of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1189 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 191—An act to amend sections 3746 and 3756 of the Political Code, relating to taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 191 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 18—An act to add a new section to the Penal Code, to be numbered 476b, relating to the drawing and uttering of checks or drafts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 18 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 69—An act to amend section 437 of the Code of Civil Procedure, relating to the contents of the answer of the defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 69 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weiler, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 980—An act to amend section 1724 of the Code of Civil Procedure, relating to the establishment of identity of heirs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 980 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 982—An act to amend section 1699 of the Code of Civil Procedure, relating to jurisdiction of estate after final distribution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 982 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 990—An act to amend section 1633 of the Code of Civil Procedure, relating to settlement of account.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 990 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 991—An act to amend section 1592 of the Code of Civil Procedure, relating to investment of moneys of estate pending settlement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 991 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Assembly Bill No. 994—An act to amend section 4 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the location of the office and branch offices of the Real Estate Commissioner and to the appointment of deputies in the Real Estate Department.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 994 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 638 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1215—An act to authorize the Attorney General to bring suit against the United States in the Court of Claims in behalf of the Indians of the State of California in the event that the Congress of the United States authorizes the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1215 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, and Tubbs—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1137—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1137 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Weller, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 190—An act to amend section 19x4 of that part of the Juvenile Court Law approved June 3, 1921, and in effect August 2, 1921, and relating to the qualifications and salary of the employees in the office of the probation officer in counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 190 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Canepa, Christian, Cobb, Fellom, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 252—An act to amend section 4281 of the Political Code, relating to salaries, fees and expenses of officers in counties of the fifty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 252 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Canepa, Christian, Cobb, Evans, Fellom, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley,

Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1219—An act to repeal an act entitled "An act for the support of certain cemeteries in Tehama County," approved April 1, 1872, and to provide for the disposition of moneys and funds theretofore collected under the provisions of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1219 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Canepa, Christian, Cobb, Evans, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1230—An act providing for the investigation of the supplementary books used in the elementary schools of the State by the Board of Education and requiring a report thereon to be made by said board to the State Board of Control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1230 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1259—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1259 passed by the following vote:

AYES—Senators Allen, J. M., Allen N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1253—An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1253 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 759—An act to add a new section to the Civil Code, to be numbered 2178, limiting the liability of steam and electric railroad common carriers of property carried in trunks, valises, suit cases, traveling bags, boxes, bundles or packages, in the event of loss or injury to the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 759 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 206—An act to amend section 2 of an act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof, approved June 22, 1923, relating to the distribution of the State Blue Book.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 206 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 189—An act to amend section 384a of the Penal Code, relating to the protection of the Christmas red berry and Christmas tree.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 189 passed by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—30.

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 619—An act to prohibit the manufacture, sale, offering for sale, exposing for sale, possession and use of machine rifles, automatic rifles, machine guns and sub-machine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 619 passed by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—32.

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 718—An act to amend section 2322.13 of the Political Code, relating to salary and expenses of the county horticultural commissioner in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 718 passed by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—31.

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Mueller:

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

**MR. PRESIDENT:** In accordance with the provisions of section 2, article IV, of the constitution, I request permission to introduce a bill having the following title:

An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation.

Request referred to Committee on Rules.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Mueller to introduce a bill entitled—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Mueller: Senate Bill No. 893—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation.

Bill read first time, and referred to Committee on Commerce and Navigation.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 899—An act to amend section 4287 of the Political Code, relating to fees and salaries of county and township officers in counties of the fifty-eighth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Assembly Bill No. 899 to Senator Mueller, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the words "one thousand" add the words "two hundred fifty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 899, with instructions to amend, respectfully reports the same back, amended as per instructions.

MUELLER, Special Committee

Report read, and on motion of Senator Garrison adopted.

Bill ordered to print.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 802—An act to add a new section to the Political Code, to be numbered 4234a, relating to compensation of sealers of weights and measures in counties of the fifth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

CHRISTIAN, Chairman.  
WEST.  
ALLEN, J. M.  
BAKER.  
SLATER.  
HANDY.  
HOLLISTER.  
FELLOM.  
WAGY.  
INMAN.

Senate Bill No. 802 ordered on file for second reading.

## NOTICE OF MOTION TO RECONSIDER.

Senator Boggs gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 412 was passed.

## ADJOURNMENT.

At four o'clock and twenty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned, out of respect to the memory of the late Charles W. Bell, former State Senator from Pasadena, California, until ten o'clock and thirty minutes a.m., Thursday, April 21, 1927.

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IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, April 21, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagdy, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 20, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVE OF ABSENCE.

Senators Taylor and Nelson were, on motion of Senator Breed, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Paul F. Collins of San Francisco, past department judge advocate of the Veterans of Foreign Wars of United States, and Commander of Galbraith Post No. 818, Veterans of Foreign Wars.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Castor Arrate of Sacramento, California.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Owen P. Churchill, staff commodore of the Catalina Island Yacht Club, and Mr. T. A. Churchill of Los Angeles.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Peter H. Mass, Commander of the Department of California and Nevada of the Grand Army of the Republic, A. E. Cohn, Assistant Adjutant General and Quartermaster General, and Captain E. L. Hawk, Past Department Commander.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to pupils of the eighth grade from Empire, Stanislaus County, as follows: Violet Daniels, Helen Brown, Bill Gonce, R. C. Candle, Raymond Greenhill, Ray Flora, Harold Bowen, Lela Royer, Ullila Pfarr, Magdeline Yrigoyen, Ed Line, Johnnie Satriani, Marion Barklow, Mary Murray, Gladys Smith, Ruby London, Robert A. Hill, Ruth Hughes, De Lane King and Loyal Heiny, and visitors, Charles Swanger, William Murray, Frank Goodwin, Miss Heiny and Mrs. Waltz.

## COMMUNICATION.

The following communication was received and read, and on motion of Senator Murphy ordered printed in the Journal:

From the Southern Pacific Company Superintendent at Los Angeles to the Southern Pacific Company Superintendent at Sacramento:

LOS ANGELES, April 20, 1927.

W. L. Hack, Sacramento.

Senator Taylor stood trip well. I personally met him and we attended his needs. All concerned well pleased with trip. Am writing.

G. E. GAYLORD.

## MOTION BY SENATOR MURPHY.

Senator Murphy moved, duly seconded by Senator Breed, that the Senate extend a vote of thanks to Mr. W. L. Hack, Sacramento division superintendent of the Southern Pacific lines, for his kind and considerate treatment of Senator Taylor on his recent trip from Sacramento to his home.



## APPOINTMENT BY THE PRESIDENT.

The President announced the appointment of Senators Inman, Sharkey and Swing as a special committee to confer with the Sacramento police department concerning traffic conditions at intersections near the Capitol.

## MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

April 20, 1927.

*To the Senate of the State of California.*

Senate Bill No. 469 is herewith returned without my approval.

This bill was intended to clarify an ambiguity in the language of section 1721 of the Political Code relating to high school districts. This section now provides that a union high school district should be "composed of two or more high school districts", although it is plain that it was intended to read "two or more elementary school districts."

This error was corrected in the present bill, but unfortunately at the end of the section another careless error occurs as bad as the one the bill was designed to cure. It is stated that "any city school district \* \* \* maintained as a high school within such district shall be deemed to be and constitute a city high school district". This, of course, is meaningless.

It is obvious that nothing would be gained by correcting a portion of a code section, and in so doing render meaningless another portion of the same section. For this reason I have withheld approval of the bill.

Respectfully submitted.

C. C. YOUNG, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

April 20, 1927.

*To the Senate of the State of California.*

Senate Bill No. 558 is herewith returned without my approval.

It is proposed by this bill to permit the State Forester to designate hazardous fire areas and to prepare rules and regulations relative to the use of fires within such areas. A violation of any of the State Forester's rules and regulations is made a misdemeanor punishable by fine or imprisonment or by both such fine and imprisonment.

I am advised that under the authority of *In re McLain*, 190 Cal. 376, and other cases decided by the Supreme Court of this State, any attempt to confer such powers upon the State Forester constitutes an unwarranted and unconstitutional delegation of the power of the Legislature. In other words, the State Forester under this bill could make certain rules applicable to certain territory which he would designate, and any violation of these rules would be a crime. Although I am heartily in favor of all appropriate legislation designed to assist in fire prevention and the preservation of our forests, I nevertheless feel that approval of this bill should be withheld on account of this unwarranted and dangerous delegation of power—a delegation which is clearly unconstitutional.

Respectfully submitted.

C. C. YOUNG, Governor.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 799—An act to amend section 592 of the Political Code, relating to the place of the office of the Insurance Commissioner;

Also: Senate Bill No. 443—An act to amend sections 5 and 12 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 474—An act to amend section 602 of the Penal Code, relating to trespass—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class:

Also: Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted; And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

#### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 852—An act reserving certain unappropriated waters for appropriation or disposition by the State of California, and providing for the appropriation thereof by others—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

GARRISON, Chairman.

Senate Bill No. 852 ordered on file for second reading.

#### SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Garrison asked for and was granted unanimous consent to take up Senate Bill No. 852 for second reading, out of the regular order.

Senate Bill No. 852—An act reserving certain unappropriated waters for appropriation or disposition by the State of California, and providing for the appropriation thereof by others.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 4 of the title after the word "act" strike out all the balance of the title in said line 1, and all of lines 2 and 3, and insert in lieu thereof the following: "authorizing the department of finance to appropriate unappropriated waters of the state looking to the development of a general coordinated plan of utilization and conservation of the water resources of the state."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, beginning with the word "There", strike out the said word "There" and all the balance of said line 1, and strike out all of lines 2 to 27, both inclusive, and insert in lieu thereof the following:

The state department of finance is authorized and directed to make and maintain under the general provisions of the water commission act and the rules and regulations of the division of water rights of the department of public works any application or applications for any use of water which in its judgment is required in the development and completion of all or any part of a general coordinated plan looking towards the development, utilization and conservation of water resources of the state. The priority of such applications shall be as of the date this act is approved by the governor and such priority shall be retained over any applications made subsequent to such date, and which may be in conflict therewith regardless of the requirements of the water commission act relating to necessary diligence in the completion of such applications, until October 1, 1931: *provided*, that any such priority or priorities may be maintained and extended by further legislative enactment; *provided, further*, that applications for the use of water in connection with any such general plan to procure and preserve the priority provided for in

this act must be filed with the division of water rights, department of public works within six months after the time this act shall go into effect unless the state department of finance shall have, within such time, published under requirements of the water commission act and the rules and regulations of said division of water rights applicable to applications for the appropriation of water, notice that it intends to file upon an amount of water necessary to the development of any unit of said general plan and the publication of such notice of intention shall preserve the priority of any application subsequently filed with said division of water rights for the benefit of such unit prior to October 1, 1931.

*Provided, further,* that nothing in this act contained shall in any manner prevent the state department of finance, in its discretion, from releasing from priority or assigning any portion of or all of any of the appropriations that may be filed under the provisions of this act, for the benefit of any irrigation district, or other district organized under the laws of the state or to any person, firm, corporation or association desiring to put such waters to a beneficial use.

SEC. 2. It shall be the duty of the department of public works or any other department or state officer to, upon the requirement of the state department of finance, furnish any service or assistance necessary to it in the investigation of the need and feasibility of all or any part of said general plan, the cost of construction, operation and maintenance; the financing of construction and rates or returns that may be required to operate and maintain such general plan or any part thereof and the amortization of bonded or other debts that may be placed on any such general plan or any part thereof for its cost of construction or for payment of bond interest during its period of construction or for any other purpose or need that may appear to the state department of finance proper to consider with relation to the maintenance of such priorities in the state for the purposes of all or any unit of such general plan and its or their future development and completion in the public interest; *and, provided, further,* that if it shall be finally determined by the supreme court of this state that it is unconstitutional to fix the date of priority of applications herein provided for as of the date of approval of this act by the governor then in that case said date shall be the date when this act becomes a law.

### Amendment adopted.

#### AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 1 to 45, both inclusive.

### Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 932—An act to validate all proceedings taken under the provisions of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent 1.

GARRISON, Chairman.

Assembly Bill No. 932 ordered on file for second reading.

##### ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 869—An act to amend an act entitled "An act providing for farm and home aid for veterans, defining powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to farm and home aid of widows of deceased veterans;

Also: Assembly Bill No. 1280—An act to add a new section to the Political Code, to be numbered 4041a authorizing counties to provide and maintain buildings, halls, meeting places and supply stations for the use of the United States War Department and the Navy Department or either of them;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—5; committee vote: Ayes—5.

MUELLER, Chairman.

Assembly Bills Nos. 869 and 1280 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Joint Resolution No. 10—Relating to the immigration policy of the United States.

COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed resolution, strike out line 12, and insert in lieu thereof the following: "entering the United States who intend to remain in this country, finger".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed resolution, beginning with the word "now" in line 20, strike out all down to and including the word "country" in line 22, and insert in lieu thereof the following: "who hereafter enter this country with the intention of remaining".

Amendment adopted.

Senate Joint Resolution No. 10 read, ordered to print, engrossment, and on file.

Senate Bill No. 887—An act to add a new section, to be numbered 8a, to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the payment of expenses of the sheriffs of the several counties incurred in the forwarding of copies of finger prints, descriptions of persons arrested or of fugitives from justice or other information to the State Bureau of Criminal Identification.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 651—An act to regulate the signing of criminal bonds by professional bondsmen, their agents or representatives, to regulate the fees charged for professional bonds by professional bondsmen, their agents or representatives; requiring reports of statements to be filed with certain public officers and to provide penalties for the violation thereof.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, lines 1 to 8, of the printed bill, strike out all of lines 1 to 8, inclusive.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the following: "Sec. 2.", and insert in lieu thereof the following: "Section 1."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "2".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, lines 8 to 11, inclusive, strike out beginning with the word "Nor" in line 8, down to and including the word "for", in line 11.

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 19, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 23, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 27, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "5".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 2, lines 31 to 35, of the printed bill, beginning with the word "And" in line 31, strike out all the following down to and including the word "surety" in line 35.

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 2, line 36, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "6".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 2, line 45, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 2, line 51, of the printed bill, strike out the figure "9", and insert in lieu thereof the figure "8".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 418—An act to amend section-----of the Penal Code, relating to-----.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the dotted line following the word "section", and insert in lieu thereof the following : "one thousand two hundred seven".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, following the words "relating to", insert the following : "judgments in criminal cases".

Amendment adopted.

## AMENDMENT NUMBER THREE.

In line 1 of the printed bill, following the words "Section 1.", insert the following : "Section 1207 of the Penal Code is hereby amended to read as follows :

1207. When judgment upon a conviction is rendered, the clerk must enter the same in the minutes, stating briefly the offense for which the conviction was had, and the fact of a prior conviction, if any, and must, within five days, annex together and file the following papers, which constitute a record of the action :

1. The indictment or information, and a copy of the minutes of the plea or demurrer, and all rulings thereon.

2. A copy of the judgment."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 457—An act to amend sections 15 and 37 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

## AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, following the words "California City", insert the following : "to San Quentin Point, thence to San Pedro Point, thence to Midshipman Point, and north of a line from Midshipman Point".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 583—An act to amend section 634 of the Penal Code, relating to the protection of fish and game.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title following the word "to" in line 1, and insert in lieu thereof the following: "add a new section to the Penal Code to be numbered six hundred twenty-six and one-half, relating to the protection of game."

Amendment adopted.

## AMENDMENT NUMBER TWO.

Strike out all of the printed bill following the enacting clause and insert in lieu thereof the following:

SECTION 1. A new section to be numbered 626½ is hereby added to the Penal Code to read as follows:

626½. Every person who, between the sixteenth day of January and the thirtieth day of September, both dates inclusive of any year, hunts, pursues, takes, kills or destroys or has in his possession any kind of wild duck or goose or brant or mud hen or gallinule, or Wilson snipe; or who at any time hunts, pursues, takes, kills or destroys or has in his possession any rail, or wood duck or wild pigeon or any shore bird except Wilson snipe, or any sandhill crane, whooping crane or little brown crane is guilty of a misdemeanor.

Every person found guilty of a violation of any of the provisions of this section must be fined in a sum of not less than twenty-five dollars or more than five hundred dollars, or by imprisonment in the county jail of the county in which the conviction shall be had, not less than twenty-five days or more than one hundred fifty days, or by both such fine and imprisonment.

All fines and forfeitures imposed and collected for the violation of any of the provisions of this section shall be paid into the state treasury to the credit of the fish and game preservation fund.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 208—An act to amend section 737*v* of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "thirty-seven *v*", and insert the words "thirty-eight *d*".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the words "Alameda, Los Angeles and San Francisco", and insert the words "Tulare and Kings".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the figures "737*v*", and insert "738*d*".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out the figures "737*v*", and insert the figures "738*d*".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 3, of the printed bill, commencing with the word "The", strike out all the balance of the paragraph, and insert in lieu thereof the following: "The annual salary of the judges of Tulare county is five thousand five hundred dollars; the annual salary of the judge of Kings county is four thousand five hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 594—An act to amend section 737*c* of the Political Code, relating to the salaries of the judges of the superior court of the county of San Mateo.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 3, inclusive, of said title and insert in lieu thereof the following:

An act to add a new section to the Political Code to be numbered 737*dd* and to repeal that certain section numbered 737*d* which was added to said code by chapter 851 of the statutes of 1921, relating to the salaries of the judges of the superior court in and for the county of San Diego.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

SECTION 1. A new section is hereby added to the Political Code to be numbered 737*dd* and to read as follows:

737*dd*. The annual salary of each judge of the superior court in and for the county of San Diego is the sum of seven thousand dollars.

SEC. 2. That certain section of the Political Code numbered 737*d* which was added to said code by the provisions of chapter 851 of the statutes of 1921 is hereby repealed.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 802—An act to add a new section to the Political Code, to be numbered 4234*a*, relating to compensation of sealers of weights and measures in counties of the fifth class.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

Strike out lines 1 to 4, inclusive, of the title of the printed bill, and insert in lieu thereof the following:

An act to amend section nineteen *x* five of the juvenile court law approved June 5, 1915, as amended, relating to compensation and expenses of probation officers, their deputies, assistants and employees in counties of the fifth class.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

SECTION 1. Section 19*x*5 of the juvenile court law approved June 5, 1915, as amended, is hereby amended to read as follows:



Sec. 1925. In counties of the fifth class there shall be one probation officer and nine assistant probation officers.

The salaries of said officers shall be as follows:

Probation officer, three thousand six hundred dollars per annum; three assistant probation officers at two thousand four hundred dollars each per annum; three assistant probation officers at two thousand one hundred dollars each per annum; three assistant probation officers at one thousand eight hundred dollars each per annum.

The said probation officer is hereby allowed one stenographer with bookkeeping experience at one thousand five hundred dollars per annum and three stenographers at a salary of one thousand two hundred dollars each per annum.

**Amendment adopted.**

Bill read second time, ordered to print, engrossment, and on file for third reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 768—An act granting to the Regents of the University of California for the use of the University of California in connection with scientific research and investigation at the Scripps Institute of Oceanography the sole and exclusive right of possession, occupation, and use of certain tide lands bordering on the Pacific Ocean in the county of San Diego, State of California, and State waters adjacent thereto, forbidding entry upon said tide lands and State waters of any persons other than officers, employees, students of the University of California, and licensees of the Regents of the University of California, making every violation of certain provisions of this act a misdemeanor, and providing for the punishment thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 593—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1106—An act to amend section 1446 of the Penal Code, providing for judgment, fine and imprisonment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 445—An act to authorize the Governor to appoint a commission to prepare the plans and to select a site for a permanent penal institution for women offenders.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1091—An act to amend sections 23, 24, 27, 61 and 62 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds, approved April 7, 1911, relating to foreclosure of liens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 170—An act to amend section 865 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to payments of claims and registration of warrants upon nonpayment of such claims.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1260—An act to amend section 2 of an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 213—An act to amend section 2526a of the Political Code, relating to the powers of the board of State Harbor Commissioners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1000—An act to reserve a part of San Francisco Bay and lands bordering thereon, for park purposes only.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1041—An act to amend section 4 of an act entitled "An act to provide for bridges across navigable streams, and across estuaries, fords, swamps or arms of bays that may be outside the line of navigable waters," approved March 14, 1881, relating to the notification of the State Engineer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 805—An act to amend section 626s of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 199—An act to amend section 637c of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 601—An act to amend the Penal Code by adding thereto a new section, to be numbered 628k, relating to protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 660—An act to amend section 628f of the Penal Code, relative to the protection of fish and game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 649—An act to amend section 626*c* of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 654—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1038—An act to amend section 635 of the Penal Code, relating to the protection of fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 448—An act to repeal section 629 of the Political Code as amended, relating to the maintenance of fish screens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 653—An act to amend section 626*i* of the Penal Code, relating to the limit of deer that may be taken, killed, destroyed or possessed in any one open season.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 998—An act to amend section 626*f* of the Penal Code, relating to protection of game.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended, strike out line 5, and insert in lieu thereof the following: "commission; *provided, further,* that any resident of this state lawfully killing a deer in any other state, may ship or transport into this state such deer, if the same is legal in this state; *provided* that permission has been secured from the proper authorities of the state in which the deer was killed; *and provided further,* that such person has complied with the rules and regulations that may be hereafter prescribed by the fish and game commission."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 807—An act to amend sections 1 and 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, following the colon after the word "mammals", insert the following: "black and brown bear".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 644—An act to amend section 2*a* of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to

divide the State of California into six fish and game districts, approved March 11, 1911," and all acts or parts of acts inconsistent herewith, approved May 19, 1915, 'approved May 23, 1925,' relating to Fish and Game District 14.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the first line of the title of the amended printed bill, strike out the word "section", and insert in lieu thereof the following: "sections two, two and one-half and".

Amendment adopted.

## AMENDMENT NUMBER TWO.

Strike out lines 3 to 8, inclusive, of the title of the amended printed bill, and insert in lieu thereof the following: "and to repeal an act entitled, 'An act to divide the State of California into fish and game districts and to repeal an act entitled, 'An act to divide the State of California into six fish and game districts,' approved May 21, 1911, and all acts and parts of acts inconsistent herewith," approved May 19, 1915," approved May 28, 1917, as amended, relating to boundaries of fish and game district two and one-half and two "A"."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 1, of the amended printed bill, strike out "2a" and insert in lieu thereof the figure "2".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the amended printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following: "repeal an act entitled, 'An act to divide the State of California into fish and game districts and repeal an act entitled, 'An act to divide the State of California into six fish and game districts,' approved May 21, 1911, and all acts and parts of acts inconsistent herewith," approved May 19, 1915".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1 of the amended printed bill, following line 9, insert the following:

Sec. 2. Fish and game district one shall consist of and include the following counties: Yuba, Calaveras, Tuolumne, Mariposa, Madera and Kings; those portions of Shasta county not included in fish and game district one "E"; those portions of Tehama county not included in fish and game districts one "G" and twelve "A"; those portions of Plumas county not included in fish and game districts one "H", one "P" and twenty-five; those portions of Butte county not included in fish and game district twelve "A"; those portions of Sutter county not included in fish and game district twelve "A"; those portions of Sierra and Nevada counties not included in fish and game district twenty-three; those portions of Placer county not included in fish and game districts one "I" and twenty-three; those portions of El Dorado county not included in fish and game districts one "O" and twenty-three; those portions of Sacramento county not included in fish and game districts twelve "A" and twelve "B"; those portions of Amador county not included in fish and game districts one "J" and twenty-four; those portions of Alpine county not included in fish and game districts one "J" and twenty-four; those portions of San Joaquin county lying east and north of the east or right hand bank of San Joaquin river and not included in fish and game districts three and twelve "B"; those portions of Stanislaus county lying east of the west bank of San Joaquin river; those portions of Merced county lying east of the west bank of the San Joaquin river; those portions of Fresno county lying east of the west bank of Fresno slough, Fish slough and Summit lake, not included in fish and game districts one "K" and twenty-six; those portions of Kings county east of the main power-line of the San Joaquin Light and Power Company crossing the north line of Kings county, in section four, township eighteen south, range nineteen west, Mount Diablo base and meridian, and crossing the south line of said county on the section line between sections thirty-three and thirty-four, township twenty-four south, range nineteen west, Mount Diablo base and meridian; those portions of Kern county lying east of the west bank of Bull slough and the west and south banks of Buena Vista lake to the southeast corner of the lake and lying north of a line extended from this point directly east and intersecting the Tejon state highway and lying east



of the said state highway from the above-mentioned point of intersection to where the said state highway crosses the northern boundary line of Los Angeles county, not included in fish and game districts one "L" and one "M", and those portions of Tulare county not included in fish and game district one "L."

SEC. 2. Sec. 2½ of said act is hereby amended to read as follows:

Sec. 2½. Fish and game district one and one-half shall consist of and include those portions of Del Norte county not included in fish and game districts five, five "A" and six; those portions of Siskiyou county west of the Pacific highway not included in fish and game district one "A"; those portions of Humboldt county not included in fish and game districts six, seven, seven "A," eight and nine, and those portions of Trinity county not in fish and game district one "D".

SEC. 3. Section 2a of said act is hereby amended to read as follows:

Sec.

Amendment adopted.

#### AMENDMENT NUMBER SIX.

On page 1 of the amended printed bill, strike out lines 16 to 19, inclusive, and insert in lieu thereof the following: "Pacific highway and not included in fish and game district one "N"."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Fish and Game.

Assembly Bill No. 48—An act declaring the county road commencing at Beegum, in Shasta County, and extending to Peanut, in Trinity County, to be a State highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 404—An act to amend section 551 of the Civil Code, relating to the construction of canals, flumes, and other appliances for conducting water over public highways.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 728—An act to amend section 2687 of the Political Code, relating to laying out roads.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 751—An act to amend section 1 of an act entitled "An act authorizing the State Director of Institutions, with the approval of the State Board of Control, to grant to the county of Los Angeles for highway and road purposes, the use of certain lands belonging to the State of California situated in Los Angeles County," approved May 18, 1925.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 761—An act appropriating money to pay the claim of W. A. Sloane against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 7—An act to add a new section to the Political Code to be numbered 737q, relating to the salary of judge of the superior court of the county of El Dorado.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the comma and the words "one-half", and all of lines 5 and 6, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 49—An act to add a new section to the Political Code, to be numbered 737*t*, relating to the salaries of superior judges of Colusa County.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the comma and the words "one half of", and all of lines 5, 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 62—An act to add a new section to the Political Code, to be numbered 737*q*, relating to the salary of judge of the superior court in and for the county of Sutter.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended April 7, 1927, strike out the comma and the words "the sum of two thousand five hundred"; also strike out lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 63—An act to add a new section to the Political Code, to be numbered 737*s*, relating to salary of judge of the superior court in and for the county of Yolo.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended March 28, 1927, strike out the comma and the words "the sum of two thousand five hundred"; also strike out lines 7 and 8, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 64—An act to add a new section to the Political Code, to be numbered 737*r*, relating to salary of judge of the superior court in and for the county of Yuba.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended March 28, 1927, strike out the comma and the words "the sum of two thousand five hundred"; also strike out lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 73—An act to add a new section to the Political Code, to be numbered 737*i*, relating to the annual salary of the superior court judge of Madera County.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the comma and the words "one-half of"; also strike out lines 5 and 6, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 75—An act to amend section 737*r* of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended March 28, 1927, strike out the semicolon and the words "four thousand dollars of which shall"; also strike out lines 7 and 8, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 84—An act to add a new section to the Political Code, to be numbered 738*ab*, relating to the salary of the superior court judge of the county of Marin.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the semicolon and the words "one-half of which"; also strike out lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 105—An act to add a new section to the Political Code, to be numbered 738*e*, relating to the annual salary of the superior court judge of the county of Tuolumne.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended April 14, 1927, strike out the semicolon and the word "two"; also strike out lines 6 to 8, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 109—An act to add a new section to the Political Code, to be numbered 737*i*, relating to the salary of the judge of the superior court in and for the county of Shasta.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended March 28, 1927, strike out lines 5 and 6, and insert in lieu thereof the following: "dollars."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 153—An act to add a new section to the Political Code, to be numbered 737*r*, relating to the salaries of the superior court judges in Riverside County.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the words and letter "thirty-seven *r*", insert the following: "*r*".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the figures and letter "737*r*", insert the letter "*r*".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, after the figures and letter "737*r*", insert the letter "*r*".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, strike out the semicolon and the words "one-half of which"; also strike out lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 160—An act to amend section 737*k* of the Political Code, relating to the annual salaries of the superior court judges of the county of Santa Barbara.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended March 28, 1927, strike out the semicolon and the words "one-half of"; also strike out lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 188—An act to add a new section to be numbered 737*l* to the Political Code, relating to the salary of the judge of the superior court of Nevada County.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the words and letter "thirty-seven l", insert the letter "l".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the figures and letter "737l", insert the letter "l".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, after the figures and letter "737l", insert the letter "l".

Amendment adopted.

## AMENDMENT NUMBER FOUR

On page 1, line 4, of the printed bill, strike out the comma and the words "one-half of"; also strike out lines 5 and 6, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 256—An act to add a new section to the Political Code, to be numbered 737*abc*, relating to the salary of the superior court judge of the county of Del Norte.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the semicolon and the word "one"; also strike out lines 6 to 8, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 290—An act to amend section 737*ccc* of the Political Code, relating to the salaries of judges of the superior courts of the State of California in and for the counties of San Joaquin, San Bernardino and Orange.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, lines 6 to 8, of the printed bill, as amended April 4, 1927, strike out the semicolon in line 6, and the words "three thousand dollars of which shall be paid by the state and the remainder thereof by the county for which the judges are elected or appointed.", and insert in lieu thereof a period.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, as amended April 4, 1927, strike out the comma and the words "three thousand dollars of which shall be paid by the"; also strike out lines 15 and 16, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 296—An act to add a new section to the Political Code, to be numbered 737*x*, relating to the salaries of the superior judges of the county of Kern.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the comma at the end of said line; also strike out lines 5 and 6, and insert in lieu thereof a period

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 427—An act to add a new section to the Political Code, to be numbered 737*u*, relating to the salary of the judge of the superior court of the county of Amador.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended March 28, 1927, strike out the comma and the words "one-half"; also strike out lines 5 and 6, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 428—An act to add a new section to the Political Code, to be numbered 737*r*, relating to the salary of the judge of the superior court of the county of Calaveras.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended March 28, 1927, strike out the words and letter "thirty-seven *r*", and insert in lieu thereof the words "thirty-seven *z*".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, as amended March 28, 1927, strike out the figures and letter "737*r*", and insert in lieu thereof the following: "737*z*".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended March 28, 1927, strike out the figures and letter "737*r*", and insert in lieu thereof the following: "737*z*".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, as amended March 28, 1927, strike out the comma and the words "one-half"; also strike out lines 5 and 6, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 586—An act to amend section 737*o* of the Political Code, relating to the salaries of the superior judges in Inyo, Mariposa and Mono counties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended March 28, 1927, strike out the words "thirty-seven", and insert in lieu thereof the following: "thirty-seven *o*".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended March 28, 1927, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "and dollars".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the word "four", and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 655—An act to amend section 738*a* of the Political Code, relating to the salaries of judges of the superior courts in and for the counties of Lassen and Plumas.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the comma and the words "one-half of which", also strike out lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 657—An act to add a new section to the Political Code, to be numbered 737, relating to the salary of the judge of the superior court in and for the county of Modoc.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended April 13, 1927, after the words and letter "thirty-seven *x*", insert the letter "*x*".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, as amended April 13, 1927, after the figures and letter "737*x*", insert the letter "*x*".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended April 13, 1927, after the figures and letter "737*x*", insert the letter "*x*".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended April 13, 1927, strike out lines 5, 6 and 7, and insert in lieu thereof the following: "hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 729—An act to amend section 737*g* of the Political Code, relating to the salaries of the judges of the superior court of the county of Santa Cruz.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 13, 1927, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "dollars."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading

Assembly Bill No. 739—An act to add a new section to the Political Code, to be numbered 737*w*, relating to the salary of superior judge in Contra Costa County.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended March 28, 1927, after the words and letter "thirty-seven *w*", insert the letter "*w*".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, as amended March 28, 1927, after the figures and letter "737*w*", insert the letter "*w*".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended March 28, 1927, after the figures and letter "737*w*", insert the letter "*w*".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended March 28, 1927, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "dollars each."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 758—An act to amend section 737*p* of the Political Code, relating to the salary of the judges of the superior court in and for the county of Stanislaus.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "per annum".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.



Assembly Bill No. 778—An act to add a new section to the Political Code, to be numbered 737*y*, relating to the salary of the judge of the superior court of the county of San Benito.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended April 13, 1927, strike out the semicolon; also strike out lines 5 to 7, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 881—An act to amend section 737*e* of the Political Code.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 13, 1927, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "lars."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 948—An act to amend section 737*m* of the Political Code, relating to the salaries of superior judges in Solano and Napa counties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended March 28, 1927, strike out the words "and Napa".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, as amended March 27, 1927, strike out the comma at the end of said line; also strike out lines 7 and 8, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1100—An act to amend section 737*ab* of the Political Code, relating to the salary of the judge of Merced County.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, as amended March 28, 1927, strike out the comma at the end of said line; also strike out lines 5 and 6, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1152—An act to amend section 737*n* of the Political Code, relating to the salary of the superior judge of the county of Butte.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the semicolon and the words "one-half of which shall be"; also strike out lines 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1206—An act to amend section 737*d* of the Political Code and to add a new section to said code, to be numbered 737*f*, relating to salaries of judges of the superior court.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the words "Political Code", insert a comma and the following: "which section was added to said code by chapter eight hundred seventy-seven of the statutes of 1921,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the words "Political Code", insert a comma and the following: "which section was added to said code by the provisions of chapter 877 of the statutes of 1921,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the comma and the words "one-half of"; also strike out lines 5 and 6, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, lines 10 to 12, of the printed bill, strike out the comma in line 10, and the following: "one-half of which shall be paid by the state and the other half thereof by the county of Fresno.", and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1239—An act to amend section 737*c* of the Political Code, relating to the salary of the superior judge of Ventura County.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "annum".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1249—An act to amend section 4274 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-fifth class.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 708—An act to repeal that certain act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicles; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 708 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Tubbs, Waggy, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 781—An act authorizing the Board of Control to reconvey certain real property to L. B. Collins.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 781 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 66 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted.

Bill read third time.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and five minutes p.m., Hon. Arthur H. Breed President pro tempore of the Senate, in the chair.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 377 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Evans, Gray, Handy, Hollister, Ingram, Johnson, Kline, Lyon, McKinley, Mueller, Rush, Slater, Tubbs, Waggy, Weller, and Young—22.

NOES—Senators Boggs, Canepa, Crowley, Fellom, Garrison, Hurley, Inman, Jones, Ray, Maloney, Murphy, Pedrotti, Sharkey, and West—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT.

The following report was received, and on motion of Senator Breed ordered printed in the Journal:

REPORT OF COLORADO RIVER COMMITTEE.

*To the Governor and the Legislature of the State of California.*

The Legislature at the forty-sixth session adopted Senate Joint Resolution No. 28, providing for the appointment of a legislative committee to treat with representatives of the states of the lower Colorado River Basin for the purpose of adjusting, if possible, the conflicting claims of these states in and to the waters of the Colorado River. The undersigned were appointed to represent the State of California. Thereafter the Governor of California arranged with the governors of the other interested states for a meeting of the respective representatives, to be held at Phoenix. This meeting and numerous others were held both at Phoenix and at Los Angeles. At such meetings, Arizona, Nevada and California were represented by authorized committees.

At no time was there any substantial conflict between Nevada and California, but Arizona persisted in demands which we could not accede to. The principal points of contention between the representatives being as follows:

(a) Arizona's insistence that the Seven State Compact be amended so that all unallocated water of the Colorado River system, not actually apportioned by the compact, be allotted to the lower basin states for immediate division among such states.

(b) The present perfected water rights from the Colorado River in California amount to about 2,250,000 acre-feet per year. The present perfected rights from Arizona amount to less than 250,000 acre-feet of water per year. Arizona refused to recognize these perfected rights, but insisted that a division of the water should be made without regard to these rights.

(c) Arizona demanded an excessive proportion of the water available to the lower basin for division. She insisted upon all of the tributaries of the Colorado River within her state, which she estimated at 5,000,000 acre-feet of water per year, and in addition to that insisted upon one-half of the main stream, which means a division of water of the Colorado River system in the lower basin, of about two parts to Arizona and one part to California, notwithstanding the fact that the physical conditions are such that Arizona could use only a small part of the water she demanded and the water which she was willing to concede to California is not sufficient for the present known requirements.

(d) Arizona demanded the right and insisted that California and Nevada, as well as the national government, recognize in her the right to levy and collect revenue in the nature of a royalty or tax upon all hydroelectric power developed within her state upon government, as well as private, projects and based upon the fall of the Colorado River within Arizona. The amount of this tax or royalty which Arizona hopes to so exact was variously estimated by her commissioners to as high as \$6 per horsepower per year, or an income from Boulder Canyon alone to the state of Arizona, of approximately \$6,000,000 per year.



It is altogether probable that we would have been justified in making substantial concessions to Arizona in order to adjust the respective claims to water, and had the matter of controversy been limited solely to the allocation of water, we believe a tentative agreement might have been reached. Her representatives, however, persistently refused to make even a tentative agreement on water unless, as a part of the same agreement, we recognized and conceded her right to derive revenue as above stated and accede to her other demands.

We completed our duties at the close of last December, but recommend that negotiations continue, and that the Legislature so authorize. Pursuant to such authorization, another committee, composed of Mr. A. P. Davis, Mr. Earl C. Pound, Mr. James A. Anderson, Dr. S. S. M. Jennings and Colonel S. H. Findley, was appointed to carry on the work. Their efforts, too, have been without avail, and inasmuch as the resolution providing for their appointment required that they report back to this Legislature, their authority will likewise cease at the adjournment of this Legislature.

We believe it advisable, and recommend that the Legislature provide for the appointment of a permanent committee to carry on this work after adjournment, with the hope that a just and fair basis for complete adjustment of all conflicting claims between the lower basin states may be arrived at, and a just and fair compact entered into.

Respectfully submitted.

A. C. FINNEY.  
WALTER J. LITTLE.  
L. L. DENNETT.  
RALPH E. SWING.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equiation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 871 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 799—An act to amend section 592 of the Political Code, relating to the place of the office of the Insurance Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 799 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 443—An act to amend sections 5 and 12 of an act entitled "An act to insure the better education of dental surgeons and

to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 476—An act to amend section 1761 of the Code of Civil Procedure, relating to special notice of administration proceedings and demand thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 476 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Wagy, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILL—(OUT OF ORDER).

The following Assembly bill was read third time, out of the regular order:

Assembly Bill No. 185—An act to add six new sections to the Political Code to be numbered 2979*b*, 2979*c*, 2979*d*, 2979*e*, 2982*a*, 4041*d*, relating to the care, treatment, transportation and physical rehabilitation of physically defective and handicapped persons, under the age of eighteen years, by the State of California, by and under the direction and supervision of the State Board of Health and by and under the direction of county boards of supervisors and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 185 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RECESS.

At twelve o'clock and forty-three minutes p.m., on motion of Senator Slater, the presiding senator declared the Senate at recess until the hour of two o'clock p.m.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assistant Secretary Albert Brady at the desk.

## LEAVE OF ABSENCE.

Senator Swing was, on motion of Senator Maloney, granted leave of absence for the remainder of this day.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1927

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 52—An act to amend section 1277 of the Political Code, relating to salaries and fees of officials in counties of the forty-eighth class;

Also: Assembly Bill No. 217—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor; and to repeal all conflicting acts or parts of acts;

Also: Assembly Bill No. 255—An act to add a new section to the Penal Code, to be numbered 536c, relating to the handling of farm products on consignment.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 52 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 217 and 255 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 414—An act to amend sections 1 and 2 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, so as to prohibit the exaction of cash bonds unless employees are entrusted with goods, money or property under certain restrictions, or unless said cash put up as a bond is deposited in a savings account in a bank under certain restrictions, and providing penalties for violation of the act;

Also: Assembly Bill No. 959—An act authorizing the State Director of Institutions, with the approval of the State Board of Control, to grant to the county of San Bernardino for highway and road purposes the use of certain lands belonging to the State of California situated in San Bernardino;

Also: Assembly Bill No. 1056—An act making appropriation to pay the claim of Thomas B. Dozier against the State of California;

Also: Assembly Bill No. 1272—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19 and 21 of the General Dairy Law of California, relating to milk and products of milk and containers thereof, labeling, adulterants, dairy plant sanitation, pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith, and making an appropriation for the enforcement of this act.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 414 read first time, and referred to Committee on Labor and Capital.

Assembly Bills Nos. 959 and 1272 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1056 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 681—An act appropriating money to be used for the purchase of dam sites and other necessary land to restrain tailings from hydraulic mining operations and for engineering investigations in connection therewith.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 681 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 826—An act to add a new section to an act known as the "General Dairy Law of California," approved June 15, 1923, as amended, to be numbered section 16½, relating to the licensing of dairy produce exchanges trading in butter, cheese or eggs.

ARTHUR A. OHNIMUS, Chief Clerk,  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Bill No. 826 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 262—An act to amend section 36 of the Civil Code, relating to the disaffirmance of contracts by minors;

Also: Senate Bill No. 397—An act to repeal sections 941 and 942 of the Penal Code, relating to grand juries;

Also: Senate Bill No. 401—An act to amend section 859 of the Penal Code, relating to the postponement of preliminary examinations for purpose of obtaining counsel;

Also: Senate Bill No. 402—An act to amend section 825 of the Penal Code, relating to the time within which a defendant must be taken before a magistrate;

Also: Senate Bill No. 403—An act to amend section 809 of the Penal Code, relating to the filing of informations in criminal cases.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 262, 397, 401, 402 and 403 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 390—An act to amend section 995 of the Penal Code and to add a new section to the Penal Code, to be numbered 995a, relating to indictment and informations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 390 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 263—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide



suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1208—An act to amend section 633a of the Political Code, relating to licensing of insurance brokers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6; noes—3; absent—2.

HOLLISTER, Chairman.

Assembly Bill No. 1208 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 774—An act to amend section 9 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to compensation for injured employees suffering from preexisting injury, disability or condition;

Also: Assembly Bill No. 1047—An act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to proceedings before the Industrial Accident Commission in certain death benefit cases;

Also: Assembly Bill No. 1048—An act to amend section 20 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the time within which to file claims with the Industrial Accident Commission in certain cases;

Also: Assembly Bill No. 1051—An act to amend section 3 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to definition of the term "injury" as used in such Workmen's Compensation Act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

HOLLISTER, Chairman.

Assembly Bills Nos. 774, 1047, 1048 and 1051 ordered on file for second reading.

##### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 225—An act to amend section 1161 of the Code of Civil Procedure, relating to the unlawful detainer by tenants of real property;

Also: Assembly Bill No. 228—An act to add a new section to the Code of Civil Procedure, to be numbered 1161a, relating to persons holding over in case of the sale of real property by virtue of execution, foreclosure of mortgage or under a power of sale contained in a deed of trust;

Also: Assembly Bill No. 300—An act to amend section 361 of the Code of Civil Procedure, relating to limitation of actions;

Also: Assembly Bill No. 525—An act to amend section 752 of the Code of Civil Procedure, providing who may bring actions for partition;

Also: Assembly Bill No. 526—An act to amend section 763 of the Code of Civil Procedure, in relation to judgments in partition actions and the procedure thereunder;

Also: Assembly Bill No. 527—An act to amend section 781 of the Code of Civil Procedure, providing for the action of the court where property is sold in partition suits and there are contingent future rights or estates or life estates;

Also: Assembly Bill No. 748—An act to amend section 795 of the Political Code, relating to the protest of a notary as evidence;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 225, 228, 300, 525, 526, 527 and 748 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 79—An act to amend sections 6 and 32a of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, and to add a new section thereto to be numbered 16a, relating to the sealer of weights and measures, and penalties under this act;

Also: Assembly Bill No. 291—An act to amend sections 6, 9, 10 and 11 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, as amended relating to cemetery districts; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 79 and 291 ordered on file for second reading.

#### ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1251—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

CROWLEY, Chairman.

MURPHY.

BOGGS.

JONES, RAY.

GRAY.

PEDROTTI.

CHRISTIAN.

ALLEN, N. M.

Assembly Bill No. 1251 ordered re-referred to Committee on Finance.

#### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 262—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes;

Also: Assembly Bill No. 940—An act to amend section 3678 of the Political Code, relating to revenue and taxation;

Also: Assembly Bill No. 1271—An act to amend sections 3718 and 3820 of the Political Code, relating to the lien of taxes on real property and improvements and the collection of personal property taxes by the assessor;  
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Assembly Bills Nos. 262, 940 and 1271 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 890—A bill to amend the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by adding two new sections to be known as sections 36½ and 55½ relating to authorization to the State Compensation Insurance Fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act;

Also: Senate Bill No. 892—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bills Nos. 890 and 892 ordered on file for second reading.

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 893—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GRAY, Acting Chairman.

CANEPA.

CHAMBERLIN.

EVANS.

HURLEY.

INMAN.

MUELLER.

Senate Bill No. 893 ordered on file for second reading.

#### ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 556—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

GRAY, Chairman.

ALLEN, N. M.

CROWLEY.

INMAN.

PEDROTTI.

MAONEY.

RUSH.

Senate Bill No. 556 ordered on file for second reading.

## ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California, an amendment to the constitution of said State, by adding to article VI thereof, a new section to be numbered section 3½, relating to the appointment of the chief justice and the associate justices of the Supreme Court, and the judges of district courts of appeals;

Also: Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California, relating to the giving or lending of public credit;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Senate Constitutional Amendment No. 32 ordered on third reading file.

Assembly Constitutional Amendment No. 26 ordered on third reading file.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article XII, relating to the Railroad Commission;

Also: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, that a new section to be numbered 23 be added to article XX of the constitution of said State, relating to the creation of a State Water Commission;

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 25½ of article IV thereof, relating to the division of the State into fish and game districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Senate Constitutional Amendments Nos. 4, 23 and 31 ordered on third reading file.

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use;

Also: Senate Bill No. 853—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Senate Concurrent Resolution No. 21, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses;

Also: Assembly Bill No. 1246—An act authorizing the State Department of Finance, out of any moneys appropriated therefor, to purchase warrants of the Sacramento River outlet Project No. 2 of the Sacramento and San Joaquin Drainage District, and prescribing the duties of the State Reclamation Board in the use of the proceeds of such sale of said warrants;

Also: Assembly Bill No. 1179—An act to amend the title of and to add two new sections to be numbered 3a and 3b to an act entitled "An act appropriating money to pay the expenses of erecting a suitable building, and of collecting and maintaining an exhibit of the products of the State of California, at the Nevada Transcontinental Highways Exposition, to be held in the city of Reno, Nevada, in 1926, and to provide for a commissioner thereof," approved May 25, 1925, providing for the erection of a marker on the Victory highway and by appropriating and allocating a part of said moneys in order to erect said marker;



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—10; absent—8.

INMAN, Chairman.

Assembly Bills Nos. 1242, 1246 and 1179 ordered on file for second reading.

Senate Bill No. 853 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1229—An act to amend section 361 of the Political Code, relating to the Department of Agriculture;

Also: Assembly Bill No. 1079—An act to repeal section 2300 of the Political Code, relating to the State library fund, disposing of the balance in said fund;

Also: Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—10; absent—8.

INMAN, Chairman.

Assembly Bills Nos. 1229 and 1079 ordered on file for second reading.

Senate Bill No. 269 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 314—An act appropriating money to pay the claim of P. H. Kerrigan against the State of California;

Also: Senate Bill No. 891—An act to amend section 16 of the Juvenile Court Law approved June 5, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—18; committee vote: Ayes—10; absent—8.

INMAN, Chairman.

Senate Bills Nos. 314 and 891 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1236—An act to amend section 366 of the Political Code, relating to the Department of Institutions;

Also: Assembly Bill No. 1202—An act to appropriate money to pay the claim of L. B. Hallowell, as county clerk of the county of Ventura, against the State of California;

Also: Assembly Bill No. 38—An act providing for a Commission on Pensions of State Employees; providing for the appointment of members thereof; prescribing the powers and duties of such commission, and making an appropriation therefor;

Also: Assembly Bill No. 269—An act appropriating money to pay the claim of W. H. Stitt against the State of California;

Also: Assembly Bill No. 577—An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses;

Also: Assembly Bill No. 777—An act appropriating money to pay the claim of Grace E. Kelschaw, as county treasurer of the county of San Luis Obispo, against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—10; absent—8.

INMAN, Chairman.

Assembly Bills Nos. 1236, 1202, 38, 269, 577 and 777 ordered on file for second reading.

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 889—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to certain narcotic drugs;

Also: Senate Bill No. 859—An act to amend section 2533 of the Political Code, relating to the San Francisco harbor improvement fund;

Also: Senate Bill No. 887—An act to add a new section to be numbered 8a to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the payment of expenses of the sheriffs of the several counties incurred in the forwarding of copies of finger prints, descriptions of persons arrested or of fugitives from justice or other information to the State Bureau of Criminal Identification; And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 890—A bill to amend the Workmen's Compensation, Insurance and Safety Act of 1917 as amended, by adding two new sections to be known as sections 36½ and 55½, relating to authorization to the State Compensation Insurance Fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 891—An act to amend section 16 of the Juvenile Court Law approved June 5, 1915, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, 18, 19, 20 and 21, of the printed bill, strike out the following: "and in counties and cities and counties having a population of more than five hundred thousand, at least one judge so designated shall devote his time exclusively to the functions of the juvenile court".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 892—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 893—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 853—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Senate Concurrent Resolution No. 21, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 314—An act appropriating money to pay the claim of P. H. Kerrigan against the State of California.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out "P. H. Kerrigan", and insert in lieu thereof the following: "Earl Gates as executor of the last will and testament of P. H. Kerrigan, deceased."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out "P. H. Kerrigan", and insert in lieu thereof the following: "Earl Gates as executor of the last will and testament of P. H. Kerrigan deceased."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 556—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 3, line 37, of the printed bill, after the word "proper", insert the following: "and to provide thereat medical, surgical and other remedial care".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 6, line 51, of the printed bill, strike out the word "assessor", and insert in lieu thereof the words "county auditor".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 7, line 2, of the printed bill, strike out the word "assessor", and insert in lieu thereof the words "county auditor".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 7, line 18, of the printed bill, strike out the word "assessor", and insert in lieu thereof the word "auditor".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 7, line 20, of the printed bill, strike out the word "assessor", and insert in lieu thereof the word "auditor".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 8, lines 48 and 49, of the printed bill, strike out the words "either of said funds or from the fund hereinafter mentioned, only upon", and insert in lieu thereof the words "any fund of the district other than the bond fund, only upon warrants of the county auditor, issued upon".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 9, lines 3 and 4, of the printed bill, strike out the words "The treasurer shall keep the order as his voucher, and", and insert in lieu thereof the words "Payments from the bond fund shall be made in the same manner as payments for county bonds and interest thereon are made. The treasurer".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 10, line 20, of the printed bill, following the word "and", insert the following: ", except premium and accrued interest."

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 10, line 29, of the printed bill, preceding the word "If", insert the following: "Any premium or accrued interest received at such sale shall be placed in the bond fund of the district."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1128—An act to appropriate \$5,682.60 to be used for the improvement of the street or streets on and fronting on the property of the State of California, located at the Chico State Teachers College in the city of Chico.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1234—An act making an appropriation to meet the deficiency in the appropriation for the construction and furnishing of the administration building at the Santa Barbara State Teachers College.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 869—An act to amend an act entitled "An act providing for farm and home aid for veterans, defining powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to farm and home aid of widows of deceased veterans.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 932—An act to validate all proceedings taken under the provisions of an act entitled, "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of



the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1280—An act to add a new section to the Political Code to be numbered 4041a, authorizing counties to provide and maintain buildings, halls, meeting places and supply stations for the use of the United States War Department and the Navy Department or either of them.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1208—An act to amend section 633a of the Political Code, relating to licensing of insurance brokers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 774—An act to amend section 9 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to compensation for injured employees suffering from pre-existing injury, disability or condition.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1047—An act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to proceedings before the Industrial Accident Commission in certain death benefit cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1048—An act to amend section 20 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the time within which to file claims with the Industrial Accident Commission in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1051—An act to amend section 3 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to definition of the term "injury" as used in such Workmen's Compensation Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 225—An act to amend section 1161 of the Code of Civil Procedure, relating to the unlawful detainer by tenants of real property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 228—An act to add a new section to the Code of Civil Procedure, to be numbered 1161a, relating to persons holding over in case of the sale of real property by virtue of execution, foreclosure of mortgage or under a power of sale contained in a deed of trust.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 300—An act to amend section 361 of the Code of Civil Procedure, relating to limitation of actions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 525—An act to amend section 752 of the Code of Civil Procedure, providing who may bring actions for partition.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 526—An act to amend section 763 of the Code of Civil Procedure, in relation to judgments in partition actions and the procedure thereunder.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 527—An act to amend section 781 of the Code of Civil Procedure, providing for the action of the court where property is sold in partition suits and there are contingent future rights or estates or life estates.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 748—An act to amend section 795 of the Political Code, relating to the protest of a notary as evidence.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 79—An act to amend sections 6 and 32a of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, and to add a new section thereto to be numbered 16a, relating to the Sealer of Weights and Measures, and penalties under this act.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "thirty-two", strike out the letter "a".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, correct the spelling of the word "instruments".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, after the word "act", insert a comma.

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 2, line 13, of the printed bill, after the words "as amended", insert a comma.

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 3, line 35, of the printed bill, strike out the word "tolerance", and insert in lieu thereof the word "tolerances".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 38, of the printed bill, strike out the word "produce", and insert in lieu thereof the word "product".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 3, line 4, of the printed bill, after the word "agriculture", insert the following: "Said compensation and expenses shall be a county charge against the county wherein said sealer of weights and measures is employed and the board of supervisors shall allow and pay the same out of the general fund of the county in the same manner as other claims against said fund are allowed and paid."

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 3, line 5, of the printed bill, after the numeral "32", strike out the letter "a".

Amendment adopted.

## AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out all of lines 7 to 19, inclusive, and insert in lieu thereof the following:

SEC. 32. Any person who, by himself, or his employee or agent, or as the employee or agent of another, shall use, in the buying or selling of any commodity, or retain in his possession a false weight or measure or weighing or measuring instrument; or who shall offer or expose for sale, or sell, except as heretofore specifically allowed in section 27 of this act, or use or retain in his possession any weight or measure or weighing or measuring instrument in any county, city, town, or city and county, in which there has been appointed a sealer of weights and measures in accordance with the provisions of this act, which has not been sealed by a sealer within one year; or who shall use or dispose of any condemned weight or measure, or weighing or measuring instrument contrary to law; or who, by himself, or his employee or agent, or as the employee or agent of another, shall sell or offer or expose for sale or use or have in his possession for the purpose of selling or using any device or instrument to be used or calculated to falsify any weight or measure; or who, by himself, or his employee or agent, or as the employee or agent of another, shall sell or offer or expose for sale any commodity, product, article or thing in a less quantity than he represents it to be or contain; or shall buy or offer to buy any commodity, product, article or thing on any other than the correct weight thereof, shall be guilty of a misdemeanor. Possession of any false weight or measure or weighing or measuring instruments or records thereof shall be prima facie evidence of the fact that they were intended to be used in the violation of law.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 291—An act to amend sections 6, 9, 10 and 11 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, as amended, relating to cemetery districts.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, as amended, strike out the word "or", and insert in lieu thereof the word "on".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 50, of the printed bill, as amended, after the word "treasurer", insert the following: "of the county in which the district was organized,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 262—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 940—An act to amend section 3678 of the Political Code, relating to revenue and taxation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1271—An act to amend sections 3718 and 3820 of the Political Code, relating to the lien of taxes on real property and improvements and the collection of personal property taxes by the assessor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1246—An act authorizing the State Department of Finance, out of any moneys appropriated therefor, to purchase warrants of the Sacramento River Outlet Project No. 2 of the Sacramento and San Joaquin Drainage District, and prescribing the duties of the State Reclamation Board in the use of the proceeds of such sale of said warrants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1179—An act to amend the title of and to add two new sections to be numbered 3a and 3b to an act entitled "An act appropriating money to pay the expenses of erecting a suitable building, and of collecting and maintaining an exhibit of the products of the State of California, at the Nevada Transcontinental Highways Exposition, to be held in the city of Reno, Nevada, in 1926, and to provide



for a commissioner thereof," approved May 25, 1925, providing for the erection of a marker on the Victory highway and by appropriating and allocating a part of said moneys in order to erect said marker.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1229—An act to amend section 361 of the Political Code, relating to the Department of Agriculture.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1079—An act to repeal section 2300 of the Political Code, relating to the State Library fund, disposing of the balance in said fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1236—An act to amend section 366 of the Political Code, relating to the Department of Institutions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1202—An act to appropriate money to pay the claim of L. E. Hallowell, as county clerk of the county of Ventura, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 38—An act providing for a Commission on Pensions of State Employees; providing for the appointment of members thereof; prescribing the powers and duties of such commission, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 269—An act appropriating money to pay the claim of W. H. Stitt against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 577—An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 777—An act appropriating money to pay the claim of Grace E. Kelshaw, as county treasurer of the county of San Luis Obispo, against the State of California.

Bill read second time, and ordered on file for third reading.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-fifth class.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 417, as amended March 14, 1927, April 4, 1927, April 11, 1927, and April 19, 1927, to Senator Boggs, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 3, line 2, of the printed bill, as amended, after the figures "298", strike out the period, and insert in lieu thereof a semicolon and add the following: "pro-

*vided, further, that the said salaries of the clerks and employees herein provided for shall be paid by said county monthly at the same time and in the same manner and out of the same fund as the salary of the county auditor is paid."*

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 417, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 757—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 757 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Jones, Ray, Kline, Maloney, McKinley, Mueller, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, and Young—24.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 298—An act to promote the apicultural interests of California by providing for the inspection and disposition of bees, their brood, hives and appliances that are or may be infected with disease, vesting the enforcement hereof in the State Director of Agriculture and the county horticultural commissioners, and defining their powers and duties hereunder, providing for the establishment of quarantines to prevent the introduction and spread of disease, declaring box hives and infected bees, their brood, hives and appliances to be a public nuisance and providing for the abatement thereof, providing for the registration of apiaries, prohibiting the sale or removal of infected bees, their brood, hives and appliances without permit, providing penalties for the violation hereof, and repealing an act entitled "An act to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties, and providing for their compensation, and repealing the act entitled 'An act to authorize the boards of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883," approved February 20, 1901, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 298 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Jones, Ray, Kline, Maloney, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, and Young—23.  
NOES—None.

Title read and approved.

## NOTICE OF MOTION TO RECONSIDER.

Senator Maloney gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 298 was passed.

Assembly Bill No. 678—An act providing for the creation and management of the Tamalpais State Park and creating a board of five commissioners, with power to acquire land for the creation of said park, and for additions thereto and to manage and maintain said Tamalpais State Park and to appoint a guardian therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 678 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, and Young—24.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1247—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the apportionments of cost of grade separations.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Weller moved to refer Assembly Bill No. 1247 to Senator Young, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 3, line 47, of the printed bill, after the word and comma "construction," add the following: "alteration or relocation."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1247, with instructions to amend, respectfully reports the same back, amended as per instructions.

YOUNG, Special Committee.

Report read, and on motion of Senator Weller adopted.

Bill ordered to print.

Assembly Bill No. 221—An act to add a new section to be numbered 2a to an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requir-

ing reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended, relating to the protection of bears.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 221 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Pedrotti, Rush, Sharkey, Slater, Wag, Weller, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 608—An act to amend section 682 of the Political Code, relative to the powers of the Board of Control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 608 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Jones, Ray; Kline, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Wag, Weller, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1156—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violations of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1156 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Fellom, Garrison, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1200—An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1200 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Johnson, Jones, Ray; Kline,



Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—28.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR COBB IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Cobb of the Twenty-sixth District was called to the chair.

Assembly Bill No. 584—An act to amend section 4282 of the Political Code, relating to salaries of officers in counties of the fifty-third class.  
 Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Assembly Bill No. 584, as amended March 14, 1927, to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended, strike out "two thousand", and insert in lieu thereof "eighteen hundred".

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, as amended, strike out "fifteen", and insert in lieu thereof "ten".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, as amended, strike out "four thousand", and insert in lieu thereof "thirty-eight hundred".

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, as amended, strike out "eight", and insert in lieu thereof "five".

AMENDMENT NUMBER FIVE.

On page 2, line 4, of the printed bill, as amended, strike out "eight", and insert in lieu thereof "six".

AMENDMENT NUMBER SIX.

On page 2, line 5, of the printed bill, as amended, strike out "eight", and insert in lieu thereof "five".

AMENDMENT NUMBER SEVEN.

On page 2, line 7, of the printed bill, as amended, strike out "four", and insert in lieu thereof "two".

AMENDMENT NUMBER EIGHT.

On page 2, line 9, of the printed bill, as amended, strike out "two thousand one", and insert in lieu thereof "one thousand nine".

AMENDMENT NUMBER NINE.

On page 2, line 11, of the printed bill, as amended, strike out the word "eight", and insert "six" in lieu thereof.

AMENDMENT NUMBER TEN.

On page 2, lines 20 and 21, of the printed bill, strike out the words "such fees as are now or may be hereafter allowed by law", and insert in lieu thereof the following: "ten dollars per day for each and every day actually engaged in the performance of the duties of such office".

AMENDMENT NUMBER ELEVEN.

On page 2, line 24, of the printed bill, as amended, strike out "three", and insert in lieu thereof "nine".

AMENDMENT NUMBER TWELVE.

On page 2, line 27, of the printed bill, as amended, strike out "one thousand", and insert in lieu thereof "nine hundred".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 584, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, RAY, Special Committee.

Report read, and on motion of Senator Garrison adopted.  
Bill ordered to print.

## LEAVE OF ABSENCE.

Senator Canepa was, on motion of Senator Murphy, granted leave of absence for the remainder of this day.

Assembly Bill No. 447—An act to amend section 1858 of the Political Code, relating to the apportionment of school funds and to school attendance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 447 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1129—An act to amend section 10 of an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913, relating to the disposition of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1129 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, John-

son, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 394—An act to amend section 2 of an act entitled "An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof," approved June 22, 1923, relating to the distribution of the State Blue Book.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 394 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 602—An act to add five new sections to be numbered 16a, 16b, 16c, 16d, and 16e to an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to the establishment of an alternative method of procedure for the enforcement thereof by means of the organization and establishment of local food inspection and enforcement divisions of the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 602 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Tubbs, Waggy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing, has examined Senate Bill No. 885—An act to provide for the appointment of a commission to be known as the State Bridge Commission to investigate the operation of toll bridges in California and any matters connected therewith, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of any existing bridge or bridges by

the State with a plan for financing acquisition of same and the amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the State highway system or the construction of toll bridges and any other pertinent matters relating to the same problem—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 885—An act to provide for the appointment of a commission to be known as the Carquinez Straits Bridge Commission to investigate the Carquinez Straits Bridge and any matters connected therewith or with bridges across the Carquinez Straits, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of the existing bridge by the State with a plan for financing its acquisition and the amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the State highway system; or the construction of other bridges across such straits and any other pertinent matters relating to the same problem.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 885, as amended April 20, 1927, to Senator Garrison, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 20, 1927, strike out lines 1 to 3, inclusive, of the title, and insert in lieu thereof the following: "An act providing for the investigation by the California highway commission of the".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 20, 1927, in line 6 of the title, strike out the words "and to make a report", and insert in lieu thereof the words "and for the submission of a report thereon".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended April 20, 1927, in lines 12, 13, 14 and 15 of the title, strike out the semicolon in line 12 and the words "the bridge then to become a free public bridge and be a part of the state highway system".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended April 20, 1927, strike out lines 1 to 13, inclusive.

AMENDMENT NUMBER FIVE.

On page 2, line 25, of the printed bill, as amended April 20, 1927, strike out the words "The state bridge", and insert in lieu thereof the following: "SECTION 1. The California highway".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, as amended April 20, 1927, in line 36, strike out the figure "3", and insert in lieu thereof the figure "2".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended April 20, 1927, strike out lines 50 to 52, inclusive.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, as amended April 20, 1927, strike out lines 1 to 4, inclusive.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, as amended April 20, 1927, before the word "All", insert the following: "Sec. 3."

AMENDMENT NUMBER TEN.

On page 3, line 5, of the printed bill, as amended April 20, 1927, after the word "commission", insert the following: "in carrying out the purposes of this act".



## AMENDMENT NUMBER ELEVEN.

On page 3, line 8, of the printed bill, as amended April 20, 1927, strike out the words "state bridge".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 885, with instructions to amend, respectfully reports the same back, amended as per instructions.

GARRISON, Special Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 604—An act to amend section 13 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended, relating to quarantine rules.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 604 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 179—An act to add to the Code of Civil Procedure a new section, to be numbered 302, relating to the practice by attorneys in the various courts of record of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 179 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 701—An act to add a new section to the Code of Civil Procedure, to be numbered section 1381, relating to the rights of the United States government of a department or bureau thereof in the matter of estate of deceased persons, incompetent persons, and minors in cases where compensation, pension, insurance, or other allowance is made.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 701 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 67—An act appropriating money to pay the claim of John L. Berry, as county treasurer of the county of Siskiyou, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 67 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 72—An act appropriating money to pay the claim of W. M. Hughes, as county treasurer of the county of Madera, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 72 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 152—An act making an appropriation to pay the claim of the Gold Buckle Association against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 152 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 166—An act appropriating money to pay the claim of Galen W. Morrill against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 166 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 172—An act appropriating money to pay the claim of John M. Daly, as county treasurer of the county of Tulare, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 172 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 270—An act appropriating money to pay the claim of Salvatore Spingola against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 270 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 271—An act appropriating money to pay the claim of Bernard Verbeek against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 271 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 272—An act appropriating money to pay the claim of the California Highway Commission against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 272 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 273—An act appropriating money to pay the claim of H. Moffatt Company against the State of California

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 273 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 274—An act appropriating money to pay the claim of H. Levy Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 274 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 275—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 275 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 276—An act appropriating money to pay the claim of Harold E. Smith against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 276 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 277—An act appropriating money to pay the claim of Clark and Henry Construction Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 277 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 278—An act appropriating money to pay the claim of A. J. and T. D. Borie against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 278 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 279—An act appropriating money to pay the claim of Charles G. Johnson against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 279 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wag, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 280—An act appropriating money to pay the claim of Niagara Fire Insurance Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 280 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 281—An act appropriating money to pay the claim of Pacific Tank and Pipe Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 281 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 282—An act appropriating money to pay the claim of H. Mortimer Smith against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 282 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 283—An act appropriating money to pay the claim of Mrs. J. H. Newman against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 283 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 884—An act providing for the taking over by the State of California of a certain road in the county of Lake and declaring the same to be a State highway, and for the maintenance and improvement of the same as a State highway, and authorizing the board of supervisors of Lake County to convey said road to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 884 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 285—An act appropriating money to pay the claim of W. W. Sharp, treasurer of the county of Lassen, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 285 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 286—An act appropriating money to pay the claim of the city of Berkeley against the State of California for the construction of electroliers upon that portion of Bancroft Way in said city of Berkeley, fronting upon property of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 286 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 434—An act appropriating money to pay the claim of the Exchange Orange Products Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 434 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 473—An act making an appropriation to pay the claim of Jennie Martin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 473 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 627—An act making an appropriation to pay the claim of the county of Sacramento against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 627 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 732—An act appropriating money to pay the claim of the city of Los Angeles against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 732 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 882—An act appropriating money to pay the claim of C. G. Celio and Sons against the State of California.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 882 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1070—An act to make an appropriation to pay the claim of Vina Rais against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1070 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1153—An act making an appropriation to pay the claim of the Red River Lumber Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1153 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1186—An act making an appropriation to pay the claim of F. O. Butler against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1186 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1192—An act making an appropriation to pay the claim of the Chalfant Cooperative Power Association against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1192 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1203—An act appropriating money to pay the claim of C. W. Booth against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1203 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1248—An act making an appropriation to pay the claim of Pacific Employers Insurance Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1248 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1250—An act appropriating money to pay the claim of John F. Huberty against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1250 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 886—An act to amend section 72 of the Penal Code of the State of California, relating to presenting false or fraudulent claims to public officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 886 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 887—An act to amend section 653d of the Penal Code of the State of California, relating to retaining wages of employees upon public works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 887 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1175—An act providing for the building of a causeway across the Sutter By-pass in Sutter County, State of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1175 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1258—An act appropriating money for premiums at fairs or exhibitions held by the forty-sixth district agricultural association during the seventy-ninth and eightieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1258 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, John-

son, Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 42—An act to add a new section to the Penal Code to be numbered 537*e*, relating to the purchase or sale of manufactured articles from which identification marks have been removed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 42 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Wagy, Weller, West, and Young—25.

NOES—Senators Christian, Hurley, and Jones, Ray—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 763—An act to add a new section to the Political Code to be known as section 738*b*1, relating to the salary of the superior judge of Mendocino County—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 586—An act to provide for the purchase by the State of California under certain conditions of certificates of sale of property sold for delinquent assessments of irrigation districts, and for the disposition through the State Land Settlement Board of property acquired by the State pursuant to the purchase of such certificates, and for the management by the California Bond Certification Commission, under certain conditions, of irrigation districts in which the State has so acquired an interest in lands—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

SECRETARY JOSEPH A. BEEK AT THE DESK.

#### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 763—An act to add a new section to the Political Code to be known as section 738*b*1, relating to the salary of the superior judge of Mendocino County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 763 passed by the following vote:

AYES—Senator Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Senate Bill No. 889—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 889 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 859—An act to amend section 2533 of the Political Code, relating to the San Francisco harbor improvement fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 859 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 714—An act to create a new section, to be numbered section 876a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to depository funds of cities of the sixth class in banks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 714 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 889—An act to amend sections 1, 8, 10 and 18½ of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended, relating to insurance against loss or damage by fire, lightning, wind storm, tornadoes and earthquakes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 889 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 148—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 148 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 149—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 149 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 839—An act to amend sections 2 and 9 of an act entitled "An act regulating the sanitary conditions of bakeries, prescribing conditions connected with the manufacture and sale of bakery products, and fixing penalties for violation of the provisions thereof," approved June 2, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 839 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 918—An act to repeal an act entitled "An act authorizing and empowering municipalities to provide a procedure for the fixing and establishing of setback lines on private property bordering on the whole or part of any street, avenue or highway, to prohibit the erection of buildings, fences or other structures between such setback lines and the lines of any such street, avenue or highway, and to condemn any and all property necessary or convenient for that purpose," approved May 31, 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 918 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1201—An act to amend section 6260 of the Penal Code, relating to the shooting of water fowl.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1201 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Christian, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Sharkey, Slater, Tubbs, Wagy, Weller, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 696—An act to add a new section to the Code of Civil Procedure to be numbered 274c, providing for the appointment, qualifications, official oath, duties, certified transcripts and fees of phonographic reporters for municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 696 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Sharkey, Slater, Tubbs, Wagy, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1160—An act to amend section 3702 of the Political Code, relating to traveling expenses of the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1160 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray, Maloney, McKinley, Murphy, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Senate Bill No. 538 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out beginning with the word "for", down to and including the word "dollars", in line 27, and in lieu thereof add the following: "for issuing each annual license under section 633 of the Political Code, to an agent or solicitor, one dollar; (13) for issuing each annual license as provided under section 633a of the Political Code; to an insurance broker, ten dollars; to an insurance solicitor, two dollars; to officers of a corporation, two dollars; to members of a copartnership, two dollars; for license as agent, one dollar;"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 538, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Special Committee.

Report read, and on motion of Senator Hurley adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Senate Bill No. 539 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "insurer", add the following: "for the purpose of soliciting applications or effecting insurance in the name of such insurance company or other insurer, of the following classes as designated and classified in section 594 of the Political Code: class one, class six, class thirteen, class sixteen, class seventeen."

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, beginning with the word "or", strike out everything down to and including the word "section", line 11, and substitute therefor the following: "for the purpose of soliciting applications or effecting insurance in the name of such insurance company or other insurer, of the following classes as designated and classified in section 594 of the Political Code: class one, class six, class thirteen, class sixteen, class seventeen."

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, beginning with the word "the", strike out everything down to and including the word "license", on page 2, line 29, of the



printed bill, and substitute therefor the following: "The insurance commissioner shall, upon written notice from any insurance company or other insurer, authorized to transact business in this state, of the appointment of a person to act as its agent and upon payment of the fee provided for in section 905 of the Political Code, issue to such person a license in such form as may be prescribed by the insurance department; *provided, however*, that such proposed licensee shall first file with the insurance commissioner of the State of California a statement in writing by a duly authorized representative of the company or insurer which the agent seeks to represent, setting forth:

- (a) The applicant is known to him;
- (b) The applicant has had experience or instruction, or shall within thirty days from the issuance of his license be given the necessary instruction in each of the kinds of insurance the applicant proposes to write under the license applied for;
- (c) The nature of any business other than insurance agent in which the applicant may be engaged and the name under which such business is conducted;
- (d) The applicant is of good reputation;
- (e) The applicant is worthy of a license; and the licensee shall make answer under oath to such interrogatories as the insurance commissioner himself or through his deputies shall propound on forms prepared by the commissioner."

#### AMENDMENT NUMBER FOUR.

On page 2, line 36, of the printed bill, after the word "insurance", strike out the words "or surety bonds".

#### AMENDMENT NUMBER FIVE.

On page 2, line 42, of the printed bill, after the word "insurance", strike out the words "or surety"; also in same line further strike out after the word "insurance", the words "or surety".

#### AMENDMENT NUMBER SIX.

On page 2, line 46, of the printed bill, strike out the words "or procuring", at the end of the line.

#### AMENDMENT NUMBER SEVEN.

On page 2, line 47, of the printed bill, beginning with the word "surety", strike out down to and including the word "therefor", same line.

#### AMENDMENT NUMBER EIGHT.

On page 2, line 48, of the printed bill, beginning with the word "surety", strike out the words "surety bonds or".

#### AMENDMENT NUMBER NINE.

On page 3, line 2, of the printed bill, after the word "insurance", strike out the words "or surety bonds".

#### AMENDMENT NUMBER TEN.

On page 3, line 9, of the printed bill, after the word "insurance", strike out the words "or surety".

#### AMENDMENT NUMBER ELEVEN.

On page 4, line 30, of the printed bill, after the word "insurance", strike out the words "or surety."

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 539, with instruction to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Special Committee.

Report read, and on motion of Senator Hurley adopted.

Bill ordered to print and re-engrossment.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

##### SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 780—An act to amend section 122 of the "Bank Act," approved March 1, 1909, as amended, relating to the location of the principal office of the State Banking Department:

Also: Senate Bill No. 598—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases—and reports that the same has been correctly re-engrossed.

JONES, RAY, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 217—An act appropriating money to be expended by and under the direction of the Reclamation Board for the purpose of acquiring rights of way, easements or land required for the purpose of controlling the floods, removing the debris and continuing the improvements of the Sacramento, San Joaquin and Feather rivers of the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended, and be re-referred to Committee on Finance.

(Signed out)

RUSH, Chairman.  
JONES, RAY.  
MALONEY.  
GARRISON.  
GRAY.  
BOGGS.

Senate Bill No. 217 ordered on file for second reading.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Boggs asked for and was granted unanimous consent to take up Senate Bill No. 217 for second reading, out of the regular order.

Senate Bill No. 217—An act appropriating money to be expended by and under the direction of the Reclamation Board for the purpose of acquiring rights of way, easements or land required for the purpose of controlling the floods, removing the debris and continuing the improvement of the Sacramento, San Joaquin and Feather rivers of the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 6, inclusive, of said title, and insert in lieu thereof the following:

An act appropriating two hundred thousand dollars to be expended by and under the direction of the department of public works for the purpose of operating and maintaining such of the flood control works of the Sacramento and San Joaquin drainage district as may by law be imposed upon the state.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 23, inclusive, and insert in lieu thereof the following:

SECTION 1. The sum of two hundred thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, which shall be available July 1, 1927, to be expended by and under the direction of the department of public works in the operation and maintenance of such of the flood control works of the Sacramento and San Joaquin drainage district as by law may be imposed upon the State of California.

SEC. 2. The sum herein appropriated shall be deposited in the state treasury in a fund to be designated "maintenance fund Sacramento and San Joaquin drainage district" and money shall be drawn therefrom only for the purposes herein stated and upon claims of the department of public works duly supported by vouchers in the manner and through the channels provided by law, *provided, however*, that not more than one hundred thousand dollars of the money contained in said fund

shall be expended in any one fiscal year for the purposes herein set forth unless in case of emergency, and then only with the express written consent of the board of control.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 190—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Senate Bill No. 190 ordered on file for third reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 217—An act appropriating money to be expended by and under the direction of the Reclamation Board for the purpose of acquiring rights of way, easements or land required for the purpose of controlling the floods, removing the debris and continuing the improvement of the Sacramento, San Joaquin and Feather rivers of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

(Signed out)

ALLEN, N. M.  
BREED.  
SHARKEY.  
WEST.  
JOHNSON.  
INGRAM.  
HANDY.  
SLATER.  
BOGGS.

Senate Bill No. 217 ordered on file for third reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 992—An act to amend sections 8, 12, and 25 of and to add a new section to be numbered 13a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and provid-

ing penalties for violations thereof," approved May 17, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

CROWLEY, Chairman.  
MURPHY.  
GRAY.  
YOUNG.  
JONES, RAY.  
PEDROTTI.  
ALLEN, N. M.  
BOGGS.

Assembly Bill No. 992 ordered on file for second reading.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Hurley asked for and was granted unanimous consent to take up Senate Bill No. 190 for second reading, out of the regular order.

Senate Bill No. 190—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 7, of the printed bill, after the word "therefor," insert the following: "and after notice has been previously served upon all the parties affected thereby."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 8, of the printed bill, after the word "parent", insert the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 8, of the printed bill, beginning with the word "or", following the word "parents", strike out everything down to and including the word "person" in line 9.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 18, of the printed bill, after the word "parent", insert the word "or".

Amendment adopted.



## AMENDMENT NUMBER FIVE.

On page 4, line 18, of the printed bill, beginning with the word "or", following the word "parents", strike out everything down to and including the word "person", in line 19.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

## UNFINISHED BUSINESS.

Assembly Bill No. 630—An act to amend section 10 of the Political Code, referring to holidays.

Bill read third time previously.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Inman moved to refer Assembly Bill No. 630 to Senator Boggs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended April 11, 1927, strike out lines 20 and 21, and insert in lieu thereof the following: "as "Admission day." All public offices of the state and all state institutions, except the state university, shall be closed on the eleventh day of November of each year, known as Armistice day."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 630, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS. Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print.

## SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 992—An act to amend sections 8, 12 and 25 of and to add a new section to be numbered 13a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923.

Bill read second time, and ordered on file for third reading.

## ADJOURNMENT.

At four o'clock and forty-five minutes p.m., on motion of Senator Breed, the Presiding Senator declared the Senate adjourned, until ten o'clock and thirty minutes a.m., Friday, April 22, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Friday, April 22, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson

## READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 21, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senators Taylor and Evans were, on motion of Senator Weller, granted leaves of absence for this day.

Senator Lyon was, on motion of Senator West, granted leave of absence for this day.

Senator Pedrotti was, on motion of Senator Waggy, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Harry Encell, Miss Mary Encell, Miss Virginia Encell and John Encell of Oakland, California.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Edwin H. Melvin of Los Gatos, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Earl D. Killion and Mr. W. M. Bishop of Lankershim, California.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. James E. Nugent and Mr. J. S. Jack of San Andreas, California.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County;

Also: Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof;

Also: Senate Bill No. 853—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Senate Concurrent Resolution No. 21, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses;

And reports that the same have been correctly engrossed.

ALLEN, J. M., Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 104—An act to appropriate money to protect the banks of Mad River from erosion by means of brush and rock work along the banks thereof;

Also: Senate Bill No. 893—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation;

Also: Senate Bill No. 890—A bill to amend the Workmen's Compensation, Insurance and Safety Act of 1917 as amended, by adding two new sections to be known as sections 36½ and 55½, relating to authorization to the State compensation insurance fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act;

Also: Senate Bill No. 892—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant;

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 25½ of article IV thereof, relating to the division of the State into fish and game districts;

Also: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, that a new section to be numbered 23 be added to article XX of the constitution of said State, relating to the creation of a State Water Commission;

Also: Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 22 of article XII, relating to the Railroad Commission;

Also: Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California, an amendment to the constitution of said State, by adding to article VI thereof, a new section to be numbered section 3½, relating to the appointment of the chief justice and the associate justices of the Supreme Court, and the judges of district courts of appeal;

And reports that the same have been correctly engrossed.

ALLEN, J. M., Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 556—An act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 6—An act to amend section 4280 of the Political Code, relating to the compensation of officers in counties of the fifty-first class;

Also: Senate Concurrent Resolution No. 28—Approving the charter of the city of Pacific Grove, State of California, voted for and ratified by the qualified voters of said city of Pacific Grove at its special municipal election held therein for that purpose on the ninth day of April, 1927;

Also: Senate Bill No. 364—An act to amend section 1281 of the Penal Code, relating to discharge of defendant in criminal cases on allowance of bail;

Also: Senate Bill No. 384—An act to amend section 1049 of the Penal Code, relating to time allowed defendant to prepare for trial in criminal cases;

Also: Senate Bill No. 415—An act to amend section 165 of the Penal Code, relating to bribery of public officials;

Also: Senate Concurrent Resolution No. 27—Approving a certain amendment to the charter of the city of Santa Rosa, a municipal corporation in the county of Sonoma, State of California, voted for and ratified by the electors of said city at the special municipal election, held therein, on the tenth day of March, 1927;

Also: Senate Bill No. 262—An act to amend section 36 of the Civil Code, relating to the disaffirmance of contracts by minors;

Also: Senate Bill No. 397—An act to repeal sections 941 and 942 of the Penal Code, relating to grand juries;

Also: Senate Bill No. 401—An act to amend section 859 of the Penal Code, relating to the postponement of preliminary examinations for purpose of obtaining counsel;

Also: Senate Bill No. 402—An act to amend section 825 of the Penal Code, relating to the time within which a defendant must be taken before a magistrate;

Also: Senate Bill No. 403—An act to amend section 809 of the Penal Code, relating to the filing of informations in criminal cases;

Also: Senate Bill No. 390—An act to amend section 995 of the Penal Code and to add a new section to the Penal Code, to be numbered 995a, relating to indictments and informations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1927, at 4 o'clock p.m.

JONES, RAY, Chairman.

#### ON RULES.

#### SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 32—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-seventh session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

Assembly Concurrent Resolution No. 32 ordered on file.

#### ON COUNTY GOVERNMENT.

#### SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 181—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the sixth class:

Also: Assembly Bill No. 419—An act to amend section 9a13 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary of the county librarian in the counties of the thirteenth class;

Also: Assembly Bill No. 474—An act to amend section 2322r6 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies, inspectors, and clerks of the counties of the sixth class;

Also: Assembly Bill No. 874—An act to amend section 2322r17 of the Political Code, relating to the compensation and expenses of county horticulture commissioners, deputies, inspectors and clerks in counties of the seventeenth class;

Also: Assembly Bill No. 1274—An act to amend section 2322r27 of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies, and employees, in counties of the twenty-seventh class;

Also: Assembly Bill No. 1276—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class;



Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

CHRISTIAN, Chairman.

Assembly Bills Nos. 181, 419, 474, 874, 1274 and 1276 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 267—An act to amend section 103½ of the Code of Civil Procedure of the State of California, relating to clerks of justices' courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same;

Also: Assembly Bill No. 293—An act to amend section 4233 of the Political Code, relating to the salaries and expenses of officers of counties of the fourth class;

Also: Assembly Bill No. 316—An act to amend section 4250 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-first class;

Also: Assembly Bill No. 716—An act to amend section 4241 of the Political Code, relating to salaries of officers and employees of counties of the twelfth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

CHRISTIAN, Chairman.

Assembly Bills Nos. 267, 293, 316 and 716 ordered on file for second reading.

#### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock to which was referred Assembly Bill No. 217—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor; and to repeal all conflicting acts or parts of acts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BOGGS, Chairman.

ALLEN, J. M.

KLINE.

WAGY.

HANDY.

SLATER.

HOLLISTER.

YOUNG.

BAKER.

COBB.

RUSH.

INMAN.

Assembly Bill No. 217 ordered on file for second reading.

#### MOTION TO RE-REFER.

Senator Sharkey moved to re-refer Assembly Bill No. 1272 to Committee on Agriculture and Live Stock.

Motion carried, and such was the order.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

#### WITHDRAWAL OF ASSEMBLY BILL.

Senator Jones, Ray, asked for and was granted unanimous consent to have Assembly Bill No. 681 withdrawn from Committee on Finance and re-referred to Committee on Mines and Mining.

SECRETARY JOSEPH A. BECK AT THE DESK.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.

The following constitutional amendment was introduced:

By Senator Breed: Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article XVI thereof a new section to be numbered 7, authorizing the issuance and sale of 6000 bonds of the State of California in the denomination of \$1,000 each, authorizing the disposition of the proceeds of the sale of said bonds for certain purposes, and approving, adopting, legalizing, validating and making fully and completely effective the California State Park Bonds Act of 1927 as passed by the Senate and Assembly at the forty-seventh session of the Legislature and approved by the Governor.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT  
NUMBER THIRTY-THREE.

Senator Breed asked for and was granted unanimous consent to take up Senate Constitutional Amendment No. 33 at this time for purpose of adoption, without reference to committee.

SENATE CONSTITUTIONAL AMENDMENT No. 33.

A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article XVI thereof a new section to be numbered 7, authorizing the issuance and sale of six thousand bonds of the State of California in the denomination of one thousand dollars each, authorizing the disposition of the proceeds of the sale of said bonds for certain purposes, and approving, adopting, legalizing, validating and making fully and completely effective the California State Park Bonds Act of 1927 as passed by the Senate and Assembly at the forty-seventh session of the Legislature and approved by the Governor.

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that the constitution of said state be amended by adding to article XVI thereof a new section to be numbered 7 and to read as follows:

Sec. 7. The issuance and sale of 6000 bonds of the State of California in the denomination of \$1,000 each, and the use and disposition of the proceeds of the sale of said bonds, all as provided in the California State Park Bonds Act of 1927 as passed by the Senate and Assembly at the forty-seventh session of the Legislature and approved by the Governor, authorizing the issuance and sale of State bonds in the sum of \$6,000,000 for the purpose of providing a fund to be used and disbursed for the acquisition of lands and other properties in California for State park purposes, is hereby authorized and directed and the said California State Park Bond Act of 1927 is hereby approved, adopted, legalized, ratified, validated and made fully and completely effective. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this constitution contained shall be a limitation upon the provisions of this section.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 33 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—33.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 33 ordered transmitted to the Assembly.

## CONSIDERATION OF DAILY FILE.

## UNFINISHED BUSINESS FILE.

Senate Bill No. 244—An act to amend sections 2 and 22½ of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved May 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to fish and game districts 1 and 4½.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 244 refused passage by the following vote:

AYES—Senators Allen, J. M., Boggs, Cobb, Fellom, Garrison, Hollister, Hurley, Jones, H. C., Jones, Ray; Kline, Maloney, Sharkey, Swing, and Wagy—14.

NOES—Senators Allen, N. M., Baker, Breed, Canepa, Chamberlin, Crowley, Gray, Handy, Johnson, McKinley, Murphy, Rush, Slater, Tubbs, Weller, West, and Young—17.

## CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly amendments to Senate Bill No. 490, heretofore set as a special order for eleven o'clock a.m., the same were taken up for consideration.

## DIVISION OF QUESTION.

Senator Chamberlin moved that the question be divided.

Motion carried.

The question being on consideration of the first eleven amendments first.

Motion carried.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED NINETY.

## AMENDMENT NUMBER ONE.

On page 16, line 26, of the printed amended bill, preceding the word "to", insert the following: "thence northeasterly along said Brothers line".

## AMENDMENT NUMBER TWO.

On page 16, lines 32 and 33, of the printed amended bill, strike out the following: "lying easterly of a line".

## AMENDMENT NUMBER THREE.

On page 17, line 8, of the printed amended bill, strike out the word "line".

## AMENDMENT NUMBER FOUR.

On page 17, line 26, of the printed amended bill, preceding the word "and", insert the following: "between Oakland and Brooklyn townships".

## AMENDMENT NUMBER FIVE.

On page 17, line 26, of the printed amended bill, following the word "and", insert the word "along".

## AMENDMENT NUMBER SIX.

On page 17, line 27, of the printed amended bill, strike out the following: "between Oakland and Brooklyn townships".

## AMENDMENT NUMBER SEVEN.

On page 19, line 4, of the printed amended bill, strike out the words "said line", and insert in lieu thereof the following: "center of the west arm of Lake Merritt".

## AMENDMENT NUMBER EIGHT.

On page 19, line 32, of the printed amended bill, following the word "avenue", insert the following: "to the center line of Fifty-fifth street".

## AMENDMENT NUMBER NINE.

On page 20, line 1, of the printed amended bill, following the word "northwesterly", insert a comma and the following: "southwesterly".

## AMENDMENT NUMBER TEN.

On page 34 of the printed amended bill, commencing with line 26, strike out everything to and including line 43, and insert in lieu thereof the following:

Beginning at the intersection of the center lines of Washington street and Buckingham road, from the southwest; thence easterly along the center line of Washington street to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Jefferson street; thence southeasterly along the center line of Jefferson street to the center line of Figueroa street; thence southwesterly and southerly along the center line of Figueroa street to the center line of Santa Barbara avenue; thence westerly along the center line of Santa Barbara avenue and the westerly prolongation thereof to the westerly boundary of the city of Los Angeles as the same existed March 1, 1927; thence northerly along said boundary to the southerly boundary of the Palms addition to the city of Los Angeles; thence easterly along said last mentioned boundary to the center line of Angeles Mesa drive; thence northerly along the center line of Angeles Mesa drive to the center line of Adams street; thence westerly along the center line of Adams street to the center line of Buckingham road; thence northeasterly along the center line of Buckingham road to the point of beginning, shall constitute the fifty-ninth assembly district.

## AMENDMENT NUMBER ELEVEN.

On page 38 of the printed amended bill, commencing with line 41, strike out everything to and including line 9 on page 39, and insert in lieu thereof the following:

Beginning at the intersection of the center line of Santa Monica boulevard with the center line of Vermont avenue; thence easterly along the center line of Santa Monica boulevard to the center line of Sunset boulevard; thence southeasterly along the center line of Sunset boulevard to the center line of Glendale boulevard; thence southerly along the center line of Glendale boulevard to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of East Edgeware road; thence southwesterly along the center line of East Edgeware road to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Seventh street; thence northwesterly and westerly along the center line of Seventh street to the center line of Vermont avenue; thence northerly along the center line of Vermont avenue to the point of beginning, shall constitute the sixty-fourth assembly district.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 490?

The roll was called, and Assembly amendments to Senate Bill No. 490 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wag, Weller, West, and Young—32.

NOES—None.

## CONSIDERATION OF ASSEMBLY AMENDMENT NUMBER TWELVE.

The Senate took up for consideration Assembly Amendment No. 12 to Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act.



## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED NINETY.

## AMENDMENT NUMBER TWELVE.

On page 47 of the printed amended bill, following line 7, add the following:

SEC. 5. If a referendum petition is filed against any section or part of this act, and by reason thereof such section or part of this act is delayed from going into effect, then the balance of this act shall not go into effect until and unless such section or part of this act so delayed by referendum petition shall become effective.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 490?

The roll was called, and Assembly amendment to Senate Bill No. 490 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34

NOES—Senator Chamberlin—1.

Senate Bill No. 490 ordered to enrollment.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 245—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 245 refused passage by the following vote:

AYES—Senators Garrison, Inman, Jones, Ray; Kline, Maloney, Mueller, Swing, Tubbs, and Waggy—9.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Gray, Handy, Hurley, Johnson, Jones, H. C., McKinley, Murphy, Nelson, Sharkey, Slater, West, and Young—21.

Title read and approved.

Bill ordered transmitted to the Assembly.

## ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Senate Bill No. 474—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 474 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 104—An act to appropriate money to protect the banks of Mad River from erosion by means of brush and rock work along the banks thereof.

## WITHDRAWAL OF SENATE BILL.

Senator Nelson asked for and was granted unanimous consent to have Senate Bill No. 104 withdrawn from the file and re-referred to Committee on Finance.

Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 362 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—32.

NOES—Senators Fellom and West—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 153—An act making an appropriation of \$39,200.25 to pay the claim of Antoinette O'Brien against the State of California, and prescribing the duties of the Controller and the Treasurer of State in relation thereto.

#### MOTION TO RE-REFER.

Senator West moved to re-refer Senate Bill No. 153 to Committee on Finance

Motion carried, and such was the order.

Senate Bill No. 780—An act to amend section 122 of the "Bank Act," approved March 1, 1909, as amended, relating to the location of the principal office of the State Banking Department.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 780 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 586—An act to provide for the purchase by the State of California, under certain conditions of certificates of sale of property sold for delinquent assessments of irrigation districts, and for the disposition through the State Land Settlement Board of property acquired by the State pursuant to the purchase of such certificates, and for the management by the California Bond Certification Commission, under certain conditions, of irrigation districts in which the State has so acquired an interest in lands and making an appropriation to carry out the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 586 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram,

Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Wag, Weller, West, and Young—33.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 819 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Weller, West, and Young—32.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Maloney moved to reconsider the vote whereby Assembly Bill No. 298 was passed.

#### POSTPONEMENT OF RECONSIDERATION.

On motion of Senator Maloney, further consideration of the motion to reconsider the vote whereby Assembly Bill No. 298 was passed was continued until the next legislative day.

Senate Bill No. 598—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 598 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—35.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Swing:

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act to add a new section to the Political Code to be numbered section 42766, relating to the compensation and expenses of the county surveyor in counties of the forty-seventh class.

Request referred to Committee on Rules.

By Senator West:

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:

An act appropriating money for painting the interior, recarpeting, renovating, reupholstering and refinishing and replacing chairs and desks and replacing drapes and correcting the lighting in the Senate and Assembly chambers and offices connected therewith.

Request referred to Committee on Rules.

# REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON RULES.

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator West, to introduce a bill entitled—An act appropriating money for painting the interior, recarpeting, renovating, reupholstering and refinishing and replacing chairs and desks and replacing drapes and correcting the lighting in the Senate and Assembly chambers and offices connected therewith—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Swing, to introduce a bill entitled—An act to add a new section to the Political Code to be numbered section 4276b relating to the compensation and expenses of the county surveyor in counties of the forty-seventh class—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

## INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator West: Senate Bill No. 894—An act appropriating money for painting the interior, recarpeting, renovating, reupholstering and refinishing and replacing chairs and desks and replacing drapes and



correcting the lighting in the Senate and Assembly chambers and offices connected therewith.

Bill read first time, without reference to committee.

By Senator Swing: Senate Bill No. 895—An act to add a new section to the Political Code to be numbered section 4276*b*, relating to the compensation and expenses of the county surveyor in counties of the forty-seventh class.

Bill read first time, without reference to committee.

#### RESOLUTION.

The following resolution was offered:

By Senator West:

*Resolved*, That Senate Bill No. 894 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—30.

NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 894.

Senate Bill No. 894—An act appropriating money for painting the interior, recarpeting, renovating, reupholstering and refinishing and replacing chairs and desks and replacing drapes and correcting the lighting in the Senate and Assembly chambers and offices connected therewith.

Bill read second time, considered engrossed, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 894 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RESOLUTION.

The following resolution was offered:

By Senator Swing:

*Resolved*, That Senate Bill No. 895 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section

requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the constitution, suspended for the purpose of considering at this time Senate Bill No. 895.

Senate Bill No. 895—An act to add a new section to the Political Code to be numbered section 42766 relating to the compensation and expenses of the county surveyor in counties of the forty-seventh class.

Bill read second time, considered engrossed, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 895 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named person be stricken from the list of Senate attaches, and her name be stricken from the pay roll of the Senate:

Lillian Boyd, Assistant Enrolling Clerk-----\$5 00 per day

Resolution read, and on motion of Senator Crowley adopted.

#### PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and five minutes a.m., Hon Arthur H. Breed, President pro tempore of the Senate, in the chair.

#### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS, ETC.—(RESUMED).

By Senator Kline: Senate Concurrent Resolution No. 29—Relative to an investigation of the subject of convict labor.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-NINE.

Senator Kline asked for and was granted unanimous consent to take up Senate Concurrent Resolution No. 29 without reference to committee, for purpose of adoption.

## SENATE CONCURRENT RESOLUTION No. 29.

Relative to an investigation of the subject of convict labor.

WHEREAS, Men foremost in the study of crime and of criminals and prison reform throughout the country are advocating the employment of every convict during his commitment; and

WHEREAS, Other states in the Union seeing the advantage of the employment of criminals as a means of keeping them more contented mentally and in better condition physically and rendering them better able to cope with the world when they are released and thus going a long way in preventing them from violating the law and again returning to prison; and again

WHEREAS, Employment of prison labor on State highways and on county highways has already proven a success in California; and

WHEREAS, The prison population of California is constantly increasing at a net increase of sixty per month; therefore, be it

*Resolved by the Senate, the Assembly concurring.* That a committee of five be appointed, consisting of three members of the Senate and two of the Assembly, to be appointed by the President of the Senate and the Speaker of the Assembly, to investigate the advisability of a more extended employment of convicts in all our penal institutions and to report its findings to the Legislature meeting in 1929; and be it further

*Resolved.* That the sum of \$1,000 or so much thereof as may be necessary be, and the same is hereby made available for the purpose of defraying the expenses of said committee and said investigation, said sum to be paid weekly from the contingent funds of the Senate and Assembly and the State Controller is hereby authorized and directed to draw the warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 29 ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK

THIRD READING OF SENATE BILLS.—(RESUMED).

Senate Bill No. 887—An act to add a new section to be numbered 8a to an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended, relating to the payment of expenses of the sheriffs of the several counties incurred in the forwarding of copies of finger prints, descriptions of persons arrested or of fugitives from justice or other information to the State Bureau of Criminal Identification.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 887 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Waggy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 890—A bill to amend the Workmen's Compensation, Insurance and Safety Act of 1917 as amended, by adding two new sections to be known as sections 36½ and 55½, relating to authorization to the State compensation insurance fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 890 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Waggy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 892—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 892 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Waggy, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RESOLUTION.

The following resolution was offered:

By Senator Crowley:

*Resolved*, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate, effective April 24, 1927:

Marguerite Bridges, Stenographer	-----\$5 00 per day
George Cartwright, Stenographer	-----5 00 per day
Gertrude Emmerich, Stenographer	-----5 00 per day
Agnes Shearer, Stenographer	-----5 00 per day



Agnes Auhagen, Stenographer.....	\$5 00	per day
Verda Roberts, Stenographer.....	5 00	per day
Beatrice Beckley, Stenographer.....	5 00	per day

Resolution read, and on motion of Senator Crowley adopted.

### THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 893—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 893 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

### SENATOR MURPHY IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Senator Murphy of the Twenty-fourth District was called to the chair.

Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California, an amendment to the constitution of said State, by adding to article VI thereof, a new section to be numbered section 3½, relating to the appointment of the chief justice and the associate justices of the Supreme Court, and the judges of district courts of appeal.

### MOTION TO RE-REFER.

Senator Weller moved to re-refer Senate Constitutional Amendment No. 32 to Committee on Constitutional Amendments.

Motion carried, and such was the order.

Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California, that a new section to be numbered 23 be added to article XX of the constitution of said State, relating to the creation of a State Water Commission.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called.

### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones, H. C., moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

The Secretary announced the absentees.

Time, eleven o'clock and twelve minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONSTITUTIONAL AMENDMENT No. 31.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 25½ of article IV thereof, relating to the division of the State into fish and game districts.

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California, at its forty-seventh session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 25½ of article IV of the constitution of this State be amended to read as follows:

Sec. 25½. The Legislature may provide for the division of the State into fish and game districts, and may enact such laws for the protection of fish and game therein as it may deem appropriate to the respective districts or any area in any district. The Legislature may by statute, delegate to any officer, department or board the power and authority, with the consent of the Governor, to close to angling or hunting any fish and game district or area therein.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 31 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 31 ordered transmitted to the Assembly.

Senate Bill No. 853—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Senate Concurrent Resolution No. 21, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees, and other miscellaneous expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 853 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Rush, Slater, Tubbs, Wagy, Weller, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 33—Relative to approving two certain amendments to the charter of the city of San Luis Obispo, ratified by the qualified electors of said city at a special municipal election held on the fourth day of April, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 33 referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 14—An act to amend sections 92 and 139 of the Civil Code and to add a new section to said code, to be numbered 105 relating to the causes of divorce.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 14 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 177—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 177 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 32—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to the disposition of license taxes;

Also: Assembly Bill No. 122—An act to amend section 415 of the Civil Code, relating to purchase and conveyance of real estate;

Also: Assembly Bill No. 130—An act to provide for the investigation of the economic problems of agriculture, and the appointment of a commission and the making of an appropriation therefor;

Also: Assembly Bill No. 320—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and providing for the compensation of said officers and said assistants, deputies, and other employees.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 32 read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 122 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 130 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 320 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 583—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment;

Also: Assembly Bill No. 651—An act to amend section 2322~~2~~26 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies and inspectors and clerks, of the counties of the twenty-sixth class;

Also: Assembly Bill No. 762—An act to amend section 594 $\frac{1}{2}$  of the Political Code, relating to organizations which grant annuities;

Also: Assembly Bill No. 901—An act to amend section 1 of and to add two new sections to be designated sections 2 and 3 to an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, by providing the manner by which terms, conditions, location and safety factors shall be determined;

Also: Assembly Bill No. 907—An act declaring the policy of the State in respect to old age pensions, providing for an investigation of old age pension systems, and making an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 583 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 651 read first time, and referred to Committee on County Government.

Assembly Bill No. 762 read first time, and referred to Committee on Insurance.

Assembly Bill No. 901 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 907 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 772—An act to amend section 9 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to procedure before the Industrial Accident Commission following death of compensation claimants;

Also: Assembly Bill No. 1015—An act to amend section 8 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to independent contractors and working members of partnerships as employees.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bills Nos. 772 and 1015 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 997—An act to modify the elective provisions of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, with respect to acceptance of the provisions of said act by persons engaged in farm, dairy, agricultural, viticultural or horticultural employments and in stock or poultry raising by providing that employers and employees in such employment shall be presumed to have accepted the provisions of said act unless either employer or employee shall have made and filed a notice of rejection of said act;



Also: Assembly Bill No. 1044—An act to amend section 714 of the Code of Civil Procedure, relating to examination of judgment debtor concerning his property in certain cases;

Also: Assembly Bill No. 1244—An act to amend the title and sections 2, 3, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 23, 24, and 26 and to repeal sections 12 and 29 of an act entitled "An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a State Fish Exchange; to license those engaged in marketing fish; to create a State Fish Exchange fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish," approved June 1, 1917, relating to license fees and the administration of the act;

Also: Assembly Bill No. 1262—An act legalizing and validating the formation and organization of Sacramento Municipal Utility District in the county of Sacramento, State of California; declaring the same created; fixing, defining and establishing the boundaries thereof; and providing for its management and control subject to the provisions of the laws of the State of California, relative to municipal utility districts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bills Nos. 997 and 1044 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1244 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1262 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1275—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Assembly Concurrent Resolution No. 30, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses;

Also: Assembly Bill No. 1279—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Bernardino, and providing for the appointment of an additional judge and for his compensation;

Also: Assembly Bill No. 1281—An act to add a new section to the Political Code to be numbered 42566, relating to the compensation and expenses of county surveyors, their deputies, assistants and employees, in counties of the twenty-seventh class;

Also: Assembly Bill No. 1284—An act to amend sections 1, 5, 6 and 7 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of act in conflict herewith," approved June 9, 1923, and to add a new section thereto to be numbered 71, relating to the use of convicts on State highways and roads, creating a "Convict's Benefit" fund and providing for payments in and out of the same, providing that convicts so used shall not be restored to civil rights or subject to the provisions of the Workmen's Compensation, Insurance and Safety Act of 1917, or entitled to any benefits thereunder.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1275 read first time, and referred to Committee on Finance.

Assembly Bill No. 1279 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1281 read first time, and referred to Committee on County Government.

Assembly Bill No. 1284 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1285—An act to amend sections 751 and 851 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to titles of officers of cities of the fifth and sixth classes;

Also: Assembly Bill No. 1288—An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general coordinated plan.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1285 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1288 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 17—Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended, Senate Concurrent Resolution No. 19—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Concurrent Resolution No. 19—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively.

#### ASSEMBLY AMENDMENTS TO SENATE CONCURRENT RESOLUTION NUMBER NINETEEN.

##### AMENDMENT NUMBER ONE.

In line 3 of the title of the printed resolution, after the first word "the", add the following: "United".

##### AMENDMENT NUMBER TWO.

In lines 3 and 4 of the title of the printed resolution, strike out the words "American Legion", and insert in lieu thereof "Disabled American Veterans of the World War".

##### AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed resolution, strike out the words "American Legion", and insert in lieu thereof "Disabled American Veterans of the World War".

The question being: Shall the Senate concur in Assembly amendments to Senate Concurrent Resolution No. 19?

The roll was called, and Assembly amendments to Senate Concurrent Resolution No. 19 concurred in by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, West, and Young—31.

NOES—None.

Senate Concurrent Resolution No. 19 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINETEEN.

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the word "thereafter", insert the following:

The provisions of this section shall apply notwithstanding the employment of the attorney of record who is a member of the Legislature, occurs after the election of such attorney of record to the office of member of the Legislature.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 19?

The roll was called, and Assembly amendment to Senate Bill No. 19 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 168—An act to amend sections 653ff, 653kk, and 653jj of the Civil Code, relating to nonprofit cooperative associations with or without capital stock—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 168—An act to amend sections 653ff, 653kk and 653jj of the Civil Code, relating to nonprofit cooperative associations, with or without capital stock.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED SIXTY-EIGHT.

##### AMENDMENT NUMBER ONE.

On page 3, after line 42, of the printed bill, insert the following: "similar vote, or similar written assent, be delegated to the".

## AMENDMENT NUMBER TWO.

On page 3, line 43, of the printed bill, after the words "board of", insert the word "directors".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 168?

The roll was called, and Assembly amendments to Senate Bill No. 168 concurred in by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 5—An act to provide for the organization and creation of improvement districts within irrigation districts organized under the "California Irrigation District Act"; to provide for the construction of improvements therein, and for the levy of assessments on the lands of such improvement districts:

Also: Senate Bill No. 23—An act to amend section 2969 of the Civil Code, relating to levy of writs of attachments and executions:

Also: Senate Bill No. 45—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, so as to entitle the applicant for employment to double the amount of the fee paid in the event the fee paid is not returned within forty-eight hours after demand, in cases where the applicant fails to obtain employment:

Also: Senate Bill No. 77—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment:

Also: Senate Bill No. 165—An act to amend section 653c of the Civil Code, relating to nonprofit cooperative corporations:

Also: Senate Bill No. 183—An act to add a new section to the Political Code to be numbered 1607, relating to the powers and duties of boards of trustees and city boards of education and authorizing such boards to establish, equip and maintain buildings to house employees of the school district.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 5, 23, 45, 77, 165 and 183 ordered to enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and fifteen minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones, H. C.

The Secretary was directed to call the roll on the final adoption of Senate Constitutional Amendment No. 23.

The roll was called, and Senate Constitutional Amendment No. 23 refused adoption by the following vote:

AYES—Senators Boggs, Cobb, Fellom, Garrison, Inman, Johnson, Jones, H. C., Kline, Maloney, Mueller, Murphy, Wagy, and Young—13.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Crowley, Gray, Handy, Hollister, Hurley, Ingram, Jones, Ray, McKinley, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and West—22.

## LEAVE OF ABSENCE.

Senator Nelson was, on motion of Senator Johnson, granted leave of absence for the remainder of this day.



## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 691—An act to add a new section to the Civil Code to be numbered 410, relating to foreign corporations;

Also: Senate Bill No. 891—An act to amend section 16 of the Juvenile Court Law approved June 5, 1915, as amended;

Also: Senate Bill No. 852—An act authorizing the Department of Finance to appropriate unappropriated waters of the State looking to the development of a general coordinated plan of utilization and conservation of the water resources of the State;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act approved May 30, 1923;

Also: Senate Joint Resolution No. 10—Relating to the immigration policy of the United States;

Also: Senate Bill No. 457—An act to amend sections 15 and 37 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended;

Also: Senate Bill No. 594—An act to add a new section to the Political Code to be numbered 737dd and to repeal that certain section numbered 737d which was added to said code by chapter DCCCLI of the statutes of 1921, relating to the salaries of the judges of the superior court in and for the county of San Diego;

Also: Senate Bill No. 314—An act appropriating money to pay the claim of Earl Gates as executor of the last will and testament of P. H. Kerrigan, deceased, against the State of California;

Also: Senate Bill No. 651—An act to regulate the signing of criminal bonds by professional bondsmen, their agents or representatives, to regulate the fees charged for professional bonds by professional bondsmen, their agents or representatives; requiring reports of statements to be filed with certain public officers and to provide penalties for the violation thereof;

Also: Senate Bill No. 418—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases;

Also: Senate Bill No. 208—An act to amend section 738d of the Political Code, relating to salaries of superior court judges in the counties of Tulare and Kings;

And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 885—An act providing for the investigation by the California Highway Commission of the operation of toll bridges in California and any matters connected therewith, and for the submission of a report thereon to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of any existing bridge or bridges by the State with a plan for financing acquisition of same and the amortization of the costs by tolls or the construction of toll bridges and any other pertinent matters relating to the same problem;

Also: Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents;

Also: Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents;

And reports that the same have been correctly re-engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 583—An act to add a new section to the Penal Code to be numbered 626½, relating to the protection of game;

Also: Senate Bill No. 802—An act to amend section 19a5 of the Juvenile Court Law approved June 5, 1915, as amended, relating to compensation and expenses of probation officers, their deputies, assistants and employees in counties of the fifth class;

Also: Senate Bill No. 217—An act appropriating \$200,000 to be expended by and under the direction of the Department of Public Works for the purpose of operating and maintaining such of the flood control works of the Sacramento and San Joaquin Drainage District as may by law be imposed upon the State;  
And reports that the same have been correctly engrossed.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 190—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 269 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 538 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 539 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 691—An act to amend section 3 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 691 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act approved May 30, 1923.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATE JOINT RESOLUTION No. 10.

Relating to the immigration policy of the United States.

WHEREAS, Many aliens migrate annually to the United States from foreign countries and many subsequently become naturalized citizens of the United States; and

WHEREAS, It has been charged that a vast number of Asiatic aliens have entered this country illegally and reside herein without authority in law; and

WHEREAS, A record of all aliens should be kept by the appropriate authorities so that the right and privilege of aliens to remain in the United States may be readily ascertained and determined; and

WHEREAS, In order to keep a proper record of aliens now within and subsequently entering the United States, finger prints of all aliens should be made by the federal authorities and copies thereof distributed to all state authorities and retained until such time as such alien or aliens become naturalized citizens of the United States; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California earnestly petitions the Congress of the United States to provide for the taking of the finger prints of all aliens now in the United States and of all such that may hereafter enter this country and to provide for the furnishing of duplicates of such records to the appropriate authorities of each of the states of the United States; and be it further*

*Resolved*, That the Secretary of the Senate be and he is hereby directed to transmit copies of this resolution to the President of the Senate, the Speaker of the House of Representatives and the Secretary of Labor and Immigration of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 10 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—32.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 10 ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and twenty-two minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Senate Bill No. 651—An act to regulate the signing of criminal bonds by professional bondsmen, their agents or representatives, to regulate the fees charged for professional bonds by professional bondsmen, their agents or representatives; requiring reports of statements to be filed with certain public officers and to provide penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 651 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 418—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 418 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 457—An act to amend sections 15 and 37 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled



'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 583—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 583 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATOR CHAMBERLIN IN THE CHAIR.

At eleven o'clock and twenty-two minutes a.m., Senator Chamberlin of the Thirty-first District was called to the chair.

Senate Bill No. 208—An act to amend section 738*d* of the Political Code, relating to salaries of superior court judges in the counties of Tulare and Kings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 208 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Waggy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 594—An act to add a new section to the Political Code, to be numbered 737*dd* and to repeal that certain section numbered 737*d*, which was added to said code by chapter DCCCLI of the Statutes of 1921, relating to the salaries of the judges of the superior court in and for the county of San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 594 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senators Christian and West were, on motion of Senator Jones, Ray, granted leave of absence for the remainder of this day.

Senate Bill No. 802—An act to amend section 19.5 of the Juvenile Court Law, approved June 5, 1915, as amended, relating to compensation and expenses of probation officers, their deputies, assistants and employees in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 802 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Slater, Swing, Wagy, and Weller—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 556—An act to provide for the formation, government, operation and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 556 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Slater, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 852—An act authorizing the Department of Finance to appropriate unappropriated waters of the State looking to the

development of a general coordinated plan of utilization and conservation of the water resources of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 852 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Sharkey, Slater, Tubbs, Waggy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 314—An act appropriating money to pay the claim of P. H. Kerrigan against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 314 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 891—An act to amend section 16 of the Juvenile Court Law approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 891 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 217—An act appropriating money to be expended by and under the direction of the Reclamation Board for the purpose of acquiring rights of way, easements or land required for the purpose of controlling the floods, removing the debris and continuing the improvement of the Sacramento, San Joaquin and Feather rivers of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 217 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones,

Ray; Kline, Maloney, McKinley, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 885—An act to provide for the appointment of a commission to be known as the State Bridge Commission to investigate the operation of toll bridges in California and any matters connected therewith, and to make a report to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of any existing bridge or bridges by the State with a plan for financing acquisition of same and the amortization of the costs by tolls; the bridge then to become a free public bridge and be a part of the State highway system; or the construction of toll bridges and any other pertinent matters relating to the same problem.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 885 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Slater, Wagy, Weller, and Young—23.

NOES—Senators Baker, Chamberlin, Gray, Hurley, Ingram, Jones, Ray, Sharkey, Swing, and Tubbs—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 190—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 190 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson,



Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### UNFINISHED BUSINESS FILE.

Assembly Bill No. 133—An act to amend section 2322x21 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 133?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 133 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Slater, Swing, Tubbs, Wagy, Weller, and Young—27.

Senate Bill No. 469—An act to amend section 1721 of the Political Code, relating to schools.

#### SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 469 read previously.

The question being: Shall Senate Bill No. 469 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Slater, Swing, Tubbs, Wagy, Weller, and Young—27.

Senate Bill No. 558—An act authorizing the creation of a hazardous fire area, prescribing what shall not be done within such area and authorizing the State Forester to protect such area.

#### SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 558 read previously.

The question being: Shall Senate Bill No. 558 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Slater, Swing, Tubbs, Wagy, Weller, and Young—25.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 2, 3 and 7 of article IX thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 2, 3 and 7 of article IX thereof, relative to State Superintendent of Public Instruction, county superintendent of schools, State Board of Education and county boards of education.

ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT  
NUMBER TWENTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "it", and insert in lieu thereof the words "the Legislature".

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, strike out the words "the Legislature", and insert in lieu thereof the word "it".

AMENDMENT NUMBER THREE.

On page 2, line 31, of the printed bill, after the word "compiled", insert the words "and adopt".

The question being: Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 26?

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 26 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Slater, Swing, Tubbs, Waggy, Weller, and Young—31.

NOES—None.

Senate Constitutional Amendment No. 26 ordered to enrollment.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Weller, Young and Ingram as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 133.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury.

## ASSEMBLY AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NUMBER NINE.

## AMENDMENT NUMBER ONE.

In line 12 of the printed bill, after the word "court," insert the following: "by the defendant and his counsel".

The question being: Shall the Senate concur in Assembly amendment to Senate Constitutional Amendment No. 9?

The roll was called, and Assembly amendment to Senate Constitutional Amendment No. 9 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Waggy, Weller, and Young—28.

NOES—None.

Senate Constitutional Amendment No. 9 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended Senate Bill No. 203—An act to amend sections 3, 4, 5, 7, 9, 11, 31, 35, 39, 40, 41 and 50 of an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, mode of assessing and levying special assessment taxes, filing copies of specifications, fixing time for receiving bids, employment of attorney to prepare proceedings, time within which bonds are to be paid, time of payment of interest and manner of fixing rate thereof, sale of bonds, signers of objections, the including in acquisitions of removals, relocations and structural changes, and definition of terms, and to add two new sections to said act, to be numbered sections 28½ and 36½, relating to the interest rates and sale of acquisition bonds and immediate possession bonds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 203 ordered to unfinished business file.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 238—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 238 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 342—An act requiring certain reports to be made concerning children with impaired hearing—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 342 ordered to unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 198—An act to amend section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs, and making an appropriation therefor," approved March 11, 1907, as amended;

Also: Senate Bill No. 250—An act to amend section 669 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 255—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class;

Also: Senate Bill No. 265—An act to add a new section to the Code of Civil Procedure, to be numbered 5594, relating to writs of attachment;

Also: Senate Bill No. 273—An act to add a new section, to be numbered 956a, to the Code of Civil Procedure, relating to remedial powers of the appellate courts;

Also: Senate Bill No. 291—An act to amend section 729 of the Code of Civil Procedure, relating to the oath and undertaking of commissioner, report and account of sale and compensation of commissioner on foreclosure proceedings;

Also: Senate Bill No. 347—An act to amend section 2646 of the Political Code, relating to the maintenance and repair of county highways.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 198, 250, 255, 265, 273, 291 and 347 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code, to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED EIGHTY-ONE. AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "The", and insert in lieu thereof the article "A".

#### AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, following the comma after the word "proved", insert the following: "and in case of a reasonable doubt whether his guilt is satisfactorily shown, he is entitled to an acquittal,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 381?



The roll was called, and Assembly amendments to Senate Bill No. 381 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Creweley, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Wagz, Weller, and Young—24.  
 NOES—None.

Senate Bill No. 381 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases;

Also: Senate Bill No. 375—An act to amend section 1181 of the Penal Code, relating to the grounds upon which new trials may be granted and providing for modification of verdicts in criminal cases;

Also: Senate Bill No. 378—An act to amend section 1156 of the Penal Code, relating to special verdict in criminal cases;

Also: Senate Bill No. 380—An act to amend section 1123 of the Penal Code, relating to alternate jurors;

Also: Senate Bill No. 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases;

Also: Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information;

Also: Senate Bill No. 389—An act to amend sections 1006 and 1011 of the Penal Code, relating to demurrers in criminal cases and effect of overruling thereof;

Also: Senate Bill No. 391—An act to add a new section to the Penal Code, to be numbered 963a, relating to pleading prior convictions in indictments or informations and providing for the filing of supplemental information charging prior conviction which may have been omitted in original indictment or information.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 361, 375, 378, 380, 385, 388, 389 and 391 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing of transcripts of testimony and delivery of copy thereof to defendant and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing of transcripts of testimony and delivery of copy thereof to defendant.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED NINETY-NINE.

##### AMENDMENT NUMBER ONE.

On page 2, lines 12 and 13, of the printed bill, strike out the words "and shall in all cases file his original notes with said clerk".

##### AMENDMENT NUMBER TWO.

On page 2, line 37, of the printed bill, add "to reporters in the superior courts of this state".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 399?

The roll was called, and Assembly amendments to Senate Bill No. 399 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Waggy, and Young—23.

NOES—None.

Senate Bill No. 399 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 404—An act to add a new section to the Penal Code to be numbered 681*b*, relating to punishment for criminal offenses and to repeal section 681, of part II, title XVI of the Penal Code, relating to punishment for criminal offenses—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 404—An act to add a new section to the Penal Code, to be numbered 681*b*, relating to punishment for criminal offenses.

##### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FOUR.

###### AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "offenses", strike out the period and insert in lieu thereof a semicolon and the following words: "and to repeal section six hundred eighty-one, of part two, title sixteen of the Penal Code, relating to punishment for criminal offenses."

###### AMENDMENT NUMBER TWO.

After the paragraph ending with the word "thereof", in line 4, page 1, of the printed bill, add the following:

SEC. 2. Section 681, of part II, title XVI of the Penal Code is hereby repealed.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 404?

The roll was called, and Assembly amendments to Senate Bill No. 404 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Waggy, and Young—23.

NOES—None.

Senate Bill No. 404 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489 and 490, of the Penal Code, and to add a new section to the Penal Code, to be numbered 490*a*, defining the crime of theft and prescribing punishment therefor—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 408—An act to amend sections 484, 485, 486, 487, 488, 489 and 490 of the Penal Code, and to add a new section to the Penal Code, to be numbered 490*a*, defining the crime of theft and prescribing punishment therefor.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED EIGHT.  
AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, as amended March 16, 1927, strike out the word "outstanding", and insert after the word claim the words "due and unpaid".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 408?

The roll was called, and Assembly amendment to Senate Bill No. 408 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Waggy, and Young—23.  
NOES—None.

Senate Bill No. 408 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 392.—An act to amend section 960 of the Penal Code, relating to the sufficiency of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 393.—An act to amend section 959 of the Penal Code, relating to the sufficiency of indictments, informations, and complaints;

Also: Senate Bill No. 395.—An act to amend section 952 of the Penal Code, relating to pleadings and form of indictment or information;

Also: Senate Bill No. 396.—An act to amend section 951 of the Penal Code, relating to the form of indictment or information in criminal cases;

Also: Senate Bill No. 405.—An act to add a new section to the Penal Code, to be numbered 681a, relating to trials in criminal cases;

Also: Senate Bill No. 410.—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered 1256, and to repeal sections 1247, 1247a, 1247b, 1247c and 1247d, of the Penal Code, relating to appeals in criminal cases.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 392, 393, 395, 396, 405 and 410 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 411.—An act declaring the public highway extending from Los Banos, in Merced County, to Tracy, in San Joaquin County, and running through Newman, Crows Landing, to Tracy, to be a State highway;

Also: Senate Bill No. 435.—An act to amend sections 2 and 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relating to the salaries and expenses of the Building and Loan Commission and the Building and Loan Inspection Fund;

Also: Senate Bill No. 483.—An act to amend section 411 of the Code of Civil Procedure of the State of California, relating to the service of summons;

Also: Senate Bill No. 596.—An act to amend the Civil Code by adding a new section thereto, to be known as section 161a thereof, relating to the respective interests of husband and wife in community property, and more clearly defining the same;

Also: Senate Bill No. 619.—An act validating the formation and organization, and determining the boundaries of East Side County Water District, in the county of Santa Clara, State of California;

Also: Senate Bill No. 652.—An act creating in the Division of Libraries a Commission on California Representation at the National Statuary Hall at Washington, District of Columbia, and defining the powers and duties thereof;

Also: Senate Bill No. 706.—An act to amend section 19.24 of the Juvenile Court Law, relating to salaries of probation officers in counties of the twenty-fourth class;

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 411, 435, 483, 596, 619, 652 and 706 ordered to enrollment.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;

Also: Senate Bill No. 843—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 831 and 843 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1178—An act to amend an act entitled "An act to provide for the formation, management, and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, as amended, by amending sections 1, 2 and 5 thereof, and by adding three new sections thereto, to be numbered 8½, 8¾ and 13½, providing for testing the validity of bonds, the issuance of additional bonds, and making applicable the Improvement Act of 1911 for the construction of the work and acquiring property therefor.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 264—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor; and to repeal all conflicting acts or parts of acts;

Also: Assembly Bill No. 207—An act to repeal section 1617½ of the Political Code and to add a new section to said Political Code, to be numbered 1617a, relating to the sale or lease of real property by school districts, high school districts, and junior college districts;

Also: Assembly Bill No. 239—An act to amend an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 13, 1913, as amended, by amending sections 1 and 4 thereof, and by adding thereto a new section to be numbered 6, relating to special precincts;

Also: Assembly Bill No. 197—An act to provide for the acquisition by the State Department of Finance, upon behalf of the State, by gift, devise, grant or other conveyance, of the Donner monument and lands contiguous thereto; and for the improvement of the same.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 191—An act to amend sections 3746 and 3756 of the Political Code, relating to taxes;

Also: Assembly Bill No. 182—An act to add a new section to be numbered 4267a to the Political Code, relating to the salaries, fees and expenses of the county surveyor in counties of the thirty-eighth class;

Also: Assembly Bill No. 58—An act to add a new section to the Political Code, to be numbered 4049a, relative to publishing information by boards of supervisors;

Also: Assembly Bill No. 43—An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election;



Also: Assembly Bill No 18—An act to repeal section 476a and to add a new section to the Penal Code, to be numbered 476b, relating to the drawing and uttering of checks or drafts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 619—An act to prohibit the possession of machine rifles, machine guns and sub-machine guns capable of automatically and continuously discharging loaded ammunition of any caliber in which the ammunition is fed to such guns from or by means of clips, disks, drums, belts or other separable mechanical device, and providing a penalty for violation thereof;

Also: Assembly Bill No. 621—An act to amend sections 9 and 10 of an act entitled "An act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their duties and powers and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and acts amendatory thereto and also to repeal all other acts or parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to certificates licensing the practice of medicine, drugless healing and chiropody;

Also: Assembly Bill No. 528—An act to add a new section to the Code of Civil Procedure, to be numbered 1308a, relating to orders admitting wills to probate and the certification and recordation of wills;

Also: Assembly Bill No. 449—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 895—An act to amend section 1401 of the Civil Code, relating to the disposition of community property on the death of either spouse;

Also: Assembly Bill No. 652—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 687—An act to amend sections 4, 6, 7 and 8 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to the powers and duties of the Veterans' Welfare Board;

Also: Assembly Bill No. 672—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class;

Also: Assembly Bill No. 623—An act to provide for the organization and government of public park districts.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1217—An act to amend sections 1, 2, 3 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to a Division of Cannery Inspection;

Also: Assembly Bill No. 1215—An act to authorize the Attorney General to bring suit against the United States in the court of claims in behalf of the Indians of the State of California in the event that the Congress of the United States authorizes the same;

Also: Assembly Bill No. 994—An act to amend section 4 of an act entitled "An act to define real estate brokers and salesmen: to provide for the regulation, super-

vision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the location of the office and branch offices of the Real Estate Commissioner and to the appointment of deputies in the Real Estate Department;

Also: Assembly Bill No. 942—An act to add a new section to the Political Code, to be numbered 4082, relating to lost or destroyed county warrants.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1259—An act to amend section 16 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended;

Also: Assembly Bill No. 1253—An act to provide for the establishment and maintenance of a division of narcotic enforcement under the direction and control of the State Board of Pharmacy;

Also: Assembly Bill No. 1193—An act to amend sections 4, 7 and 10 of an act entitled "An act providing for the improvement, development, or protection of any harbor, bay, inlet or other arm of the sea, existing within any county of this State, providing for the appointment of a Harbor Commission by the board of supervisors of any such county to have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof," approved June 11, 1915, as amended, relating to surveys, appointment of employees and other appointees, management of work and payment of compensation of commission and claims against the same;

Also: Assembly Bill No. 1222—An act to provide for the creation of a board of parole commissioners for each county in this State for the parole of persons confined in city, county, or city and county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto and repealing all acts and parts of acts inconsistent herewith.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 570—An act to amend section 1609 of the Political Code, relating to persons employed in public school service—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 570?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 570 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Waggy, Weller, and Young—24.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Weller, Ray Jones and Waggy as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 570.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 638?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 638 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Slater, Swing, Tubbs, Waggy, Weller, and Young—24.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Chamberlin, Ingram and Johnson as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 638.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended on March 28th, and on this day passed as amended, Senate Bill No. 398—An act to amend sections 915 and 925 of the Penal Code relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk,

By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 398 ordered on unfinished business file.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

April 21, 1927.

*To the Senate of the State of California.*

Senate Bill No. 475 is herewith returned without my approval.

This is a general validating act relating to proceedings under the Street Opening Act of 1903. The date of approval of the original act is incorrectly set forth in the bill and the author has introduced a new bill to correct this error.

Respectfully submitted,

C. C. YOUNG, Governor.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 920—An act to amend section 514, 515, and 516 of the Political Code, relating to the Superintendent of Public Instruction—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bill No. 920 ordered on file for second reading.



Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 613—An act to provide for the promotion and maintenance of classes for children with defective speech, and making an appropriation therefor;

Also: Assembly Bill No. 167—An act to provide for the maintenance of schools for the children of migratory laborers engaged in seasonal industries in the rural districts of the State and making an appropriation therefor, and creating a revolving fund and providing for the apportionment of school funds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bills Nos. 613 and 167 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 958—An act to provide for an actuarial investigation of the public school teachers' retirement salary fund and providing for an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bill No. 958 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 468—An act to amend section 1714 of the Political Code, relating to school library funds in cities, or cities and counties;

Also: Assembly Bill No. 261—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—15.

SLATER, Chairman.

Assembly Bills Nos. 468 and 261 ordered on file for second reading.

#### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 68—An act to amend section 1188 of the Political Code, relating to independent nominations;

Also: Assembly Bill No. 304—An act to amend section 23 of an act entitled "An act creating a State commission on voting machines, defining their powers and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to the use of voting machines;

Also: Assembly Bill No. 1223—An act to amend section 1 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, relating to statements of candidates; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

FELLOM, Chairman.

Assembly Bills Nos. 68, 304 and 1223 ordered on file for second reading.



## ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 21, 1927.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 414—An act to amend sections 1 and 2 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, so as to prohibit the exaction of cash bonds unless employees are entrusted with goods, money or property under certain restrictions, or unless said cash put up as a bond is deposited in a savings account in a bank under certain restrictions, and providing penalties for violation of the act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

MURPHY, Chairman.

Assembly Bill No. 414 ordered on file for second reading.

## LIEUTENANT GOVERNOR IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Lieutenant Governor Burton R. Fitts, President of the Senate, in the chair.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 764—An act to amend section 4258 of the Political Code, relating to the salaries of county officers in counties of the twenty-ninth class.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Wagy moved to refer Assembly Bill No. 764 to Senator Allen, N. M., as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, after the word "annum", strike out the period, and insert a colon and add the following: "provided, however, the treasurer shall retain all fees now or which may hereafter be legally collected by his office, and that said sum or sums of money so collected as fees shall not be considered or construed as an increase of compensation."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 764, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, N. M., Special Committee.

Report read, and on motion of Senator Wagy adopted.

Bill ordered to print.

Assembly Bill No. 1091—An act to amend sections 23, 24, 25, 27, 61, 62 and 76 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a

method for the payment of such bonds," approved April 7, 1911, as amended, relating to foreclosure of liens.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Assembly Bill No. 1091, as amended in Assembly March 11, 1927, and March 23, 1927, to Senator Weller, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended, strike out the following: "and sixty-two," and insert in lieu thereof the following: ", sixty-two and".

AMENDMENT NUMBER TWO.

On page 2, line 35, of the printed bill, as amended, strike out the word "and", and insert in lieu thereof the word "or".

AMENDMENT NUMBER THREE.

On page 3, line 42, of the printed bill, as amended, immediately preceding the word "There", insert quotation marks.

AMENDMENT NUMBER FOUR.

On page 3, line 44, of the printed bill, as amended, following the word "foreclosure", insert quotation marks.

AMENDMENT NUMBER FIVE.

On page 6, line 35, of the printed bill, as amended, following the word "separate", insert a comma.

AMENDMENT NUMBER SIX.

On page 3, line 24, of the printed bill, as amended, strike out the word "delinquent", and insert in lieu thereof the word "unpaid".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1091, with instructions to amend, respectfully reports the same back, amended as per instructions.

WELLER, Special Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print.

Assembly Bill No. 807—An act to amend sections 1 and 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission." approved May 18, 1917, as amended.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Handy moved to refer Assembly Bill No. 807 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following words: "Nothing in this act shall apply to or in any manner restrict the killing or destroying or capturing of bears in fish and game districts one, one and one-half, two and two and one-half, until the first day of July, 1930."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 807, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Handy adopted.

Bill ordered to print.

## ADJOURNMENT.

At twelve o'clock m., on motion of Senator Breed, the President declared the Senate adjourned, until eleven o'clock a.m., Monday, April 25, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Monday, April 25, 1927.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—37.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 22, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

Senator Chamberlin was, on motion of Senator West, granted leave of absence for this day.

Senator Taylor was, on motion of Senator Weller, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Ada J. Koepke of San Francisco and Emma Meyer of Sausalito.

On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. and Mrs. Joseph E. Hancock of San Jose, California.

## MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read :

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

April 25, 1927.

*To the Senate and the Assembly of the State of California.*

An acute financial situation involving the Sacramento and San Joaquin Drainage District presents one of the most serious problems that any agricultural region of the State has ever faced. Most immediately concerned in solving this problem are the State Reclamation Board and the land owners within the district. However, there are certain phases of such a nature that some specific legislation is required to furnish even the possibility of a solution. The obvious fact that a district of this size can not meet financial disaster without affecting the prosperity of the whole State makes this a proper subject for legislative action.

This Sacramento and San Joaquin Drainage District has an indebtedness of approximately \$16,000,000, represented by warrants issued by the State Controller upon order of the Reclamation Board. These warrants are obligations of the land owners and actually represent liens against most of the lands in the central Sacramento Valley. The debt bears interest at the rate of 7 per cent per annum, and this interest is now accumulating at the amazing pace of over \$2,000 a day—more than \$730,000 every year.

Although supposedly adequate machinery has been provided for levying and collecting these costs upon the land, as an actual fact no collections have ever been made, either of principal or of interest. A careful survey shows that the lien upon some of the lands for this obligation and for reclamation district purposes actually exceeds any "forced-sale" value of the land. Any effort to levy an immediate assessment for the total amount due would probably mean financial ruin to a substantial portion of central California. Existing legislation permitting the issuance of twenty-year bonds for the retirement of the warrants would necessitate in many cases larger annual collections than the land can possibly produce. It is manifest, therefore, that some prompt action must be taken to relieve this intolerable situation.

During the past four years no progress has been made by the land owners or warrant holders toward the settlement of this indebtedness, and no attempt has been made by the State to aid them to solve the problem. During this same four years the debt has grown by approximately \$3,000,000 through the accumulation of interest alone. This neglect and lack of effort toward settlement during these four years is one of the prime factors that have produced the present serious problem for the inhabitants and land owners within the district, and for the people of the cities largely dependent upon these lands.

When the original flood control plan for the Sacramento, San Joaquin and Feather Rivers was outlined, it was given the name of the California Debris Commission Plan. Features of reclamation, flood control, and navigation were involved. It was suggested that the ultimate cost should be borne equally by the land owners, the State, and the federal government. Up to this date the land owners have paid no part, the State has invested or appropriated approximately \$10,000,000, and the federal government approximately \$7,000,000.

Legislation now being handed in Congress by the Honorable Charles F. Curry seeks to commit the federal government to the payment of one-third of the total cost. It is the intention of the present State administration to cooperate to the fullest extent in promoting this federal legislation. In the meantime the phases of the settlement which constitute the problem of the land owners must be worked out.

The outstanding warrants of the Reclamation Board are not an obligation of the State of California. They are an obligation on the land within the district. Many of the holders of these warrants, however, were led to believe that the warrants were an obligation of the State, and many of these holders were induced to pay practically full prices for them as an investment. But a large number of these warrants were acquired at a very considerable discount. In actual fact, the warrant holders are not financially secured, and unquestionably they realize this situation. Some of them have intimated their desire to cooperate in reaching an effective settlement by discounting the accrued value of their warrants.

Many of the land holdings are obligated for payments, the benefits of which have not yet reached the lands. Other land holdings are obligated so heavily that the twenty-year bond issue now permitted by law is impossible of payment within such a period of time. Project No. 6, of the Sacramento and San Joaquin Drainage District, is the area most drastically affected. Other projects within the district will doubtless be able to work themselves out without legislative aid. But Project No. 6, covering as it does approximately 500,000 acres of land, and lying within the confines of seven counties, has now become so involved, through lack of any constructive program in the past, that, unless something is done in the near future, the land holders within this project face certain financial ruin. A bond issue voted for a portion of the obligation of this project has proven absolutely unsalable.



The comfortable and easy thing for this administration to do would be to allow the problem to float through the coming four years just as has been done during the past four years, with no effort toward settlement. It would be easy to say that this is no affair of the present administration, since it is a condition not of our making. Thus during this four years we might permit the obligation to increase on the lands by \$3,000,000 more for the interest alone, just as was done during the past four years; allow the warrants to further depreciate in value; let small investors holding unpaid warrants become financially ruined; permit the central Sacramento Valley to continue to lie under the cloud of impending disaster, its development stifled and strangled by an unfunded debt; and allow the farmer needing to secure new loans to be thwarted by the uncertainty of this existing lien and deprived of his land and his livelihood.

This may be the easy way, but it is not the right way. The problem must be faced squarely and unflinchingly. The steps necessary are staggering, even if the most effective help is afforded. The purposes which must be achieved are the following:

1. Relief to the land owners from the present uncertainty through an opportunity to pay the indebtedness as the productiveness of the land will permit.

2. Assurance to the warrant holders that an honest effort will be made to secure them against possibly complete financial loss.

3. Provision of a means whereby the land owners may be actually relieved of a part of the present increasing indebtedness.

4. Assistance to the land owners for the immediate future in meeting as much as possible of the annual burden for the maintenance of the project.

There seems only one way by which all this may be achieved: The present warrants with their high interest charges must be repurchased at satisfactory prices and refunded in low interest, long term bonds, which the land owner can amortize from his annual income, while the value of his land continues to grow through its future development.

Senate Bill No. 856 seeks to supply a basis for constructively commencing the solution of the problem. While this measure can not cure all the existing troubles, at least it will be helpful and its operation may possibly point the way to a stable and permanent plan.

In addition it seems necessary as a temporary emergency measure to undertake at State expense the maintenance of the works already constructed for flood control as distinct from reclamation. For this and for the administration of the project, special appropriations are recommended for your consideration in Senate Bill No. 217.

Respectfully submitted.

C. C. YOUNG, Governor.

Governor's message referred to Committee on Rules.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 681—An act appropriating money to be used for the purchase of dam sites and other necessary land to restrain tailings from hydraulic mining operations and for engineering investigations in connection therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

Committee membership—5; committee vote; Ayes—3; noes—2.

INGRAM, Chairman.

Assembly Bill No. 681 ordered re-referred to Committee on Finance.

#### CONSIDERATION OF DAILY FILE.

##### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 181—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 419—An act to add a new section to be numbered 9x25 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California and

repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1922, as amended, relating to the salary of the county librarian in the counties of the twenty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 474—An act to amend section 2322.7 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies, inspectors and clerks of the counties of the sixth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 12 to 17 of the printed bill, inclusive, and insert in lieu thereof the following:

(b) One clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in one year for such clerk shall not exceed one thousand two hundred dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one inspector at a monthly salary of one hundred and sixty dollars, during the time actually employed, three inspectors at a monthly salary of one hundred and fifty dollars each, during the time actually employed, but the aggregate amount which may be expended in one year for all such inspectors shall not exceed seven thousand three hundred twenty dollars.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 874—An act to amend section 2322.17 of the Political Code, relating to the expenses of the county board of horticulture.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1274—An act to amend section 2322.27 of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies and employees, in counties of the twenty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1276—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 267—An act to amend section 103½ of the Code of Civil Procedure of the State of California, relating to clerks of justices' court in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word "mayor", and before the word "conditioned", insert the following: "or, if the clerk's salary is paid by the county, shall be approved as provided for county officers."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, after the word "treasury", and before the word "all", insert a comma and add the following: "or into the county treasury if the salary of the clerk is paid by the county,".

**Amendment adopted.**

## AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the word "council", and before the word "an", insert the following: "or county board of supervisors where the salary of the clerk is paid by the county".

**Amendment adopted.**

## AMENDMENT NUMBER FOUR.

On page 2, line 29, of the printed bill, strike out the words "out of the treasury of said cities", and in lieu thereof insert the following: "by warrants drawn each month upon the salary fund, or if there be no salary fund, then upon the general fund, of such city or county as the case may be, such warrants to be audited and paid as salaries of any other city or county officials respectively,".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 293—An act to amend section 4233 of the Political Code, relating to the salaries and expenses of officers of counties of the fourth class.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 15 of the printed bill, strike out lines 34 to 38, inclusive, and insert in lieu thereof the following: "of four thousand dollars per annum, payable in monthly installments, in full compensation for all services rendered, either as supervisors or road overseers".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 316—An act to amend section 4250 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-first class.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, lines 10 and 11, of the printed bill, as amended, strike out the following: "On and after January 6, 1919, all", and insert in lieu thereof the following: "All".

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

On page 5 of the printed bill, as amended, strike out lines 8 to 12, both inclusive, and insert in lieu thereof the following: "twenty dollars per annum, and nine librarian custodians at a salary of fifteen dollars each per month and eight librarian custodians at a salary of ten dollars each per month. The county libra-".

**Amendment adopted.**

## AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out lines 23 to 26, both inclusive, and insert in lieu thereof the following: "and two additional clerks at a salary of five dollars per day when actually employed, which salaries shall not exceed in the aggregate the sum of one hundred fifty dollars per annum. Said clerks shall be paid by the county at".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, as amended April 15, 1927, strike out lines 35 to 52, inclusive; also strike out lines 1 to 16, inclusive, on page 6, and insert in lieu thereof the following:

12. The surveyor, three thousand five hundred dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby allowed to the surveyor, one deputy whose salary is hereby fixed at the sum of two thousand seven hundred dollars per annum; one stenographer whose salary is hereby fixed at the sum of one thousand five hundred dollars per annum; two draftsmen who shall each receive a salary of one dollar and twenty-five cents per hour; four draftsmen who shall each receive a salary of one dollar per hour; one transitman who shall receive a salary of one dollar and twenty-five cents per hour; two transitmen who shall each receive a salary of one dollar per hour; three rodmen who shall each receive a salary of seventy-five cents per hour; twelve chainmen who shall each receive a salary of seventy-five cents per hour and four inspectors who shall each receive a salary of one dollar per hour, which offices are hereby created. It is further provided that the county surveyor shall be and he is hereby allowed all necessary expenses for work performed for the county by virtue of his office, and all necessary expenses and transportation for work performed in the field. Whenever the county surveyor is directed by the board of supervisors or assessor to plat, trace or otherwise prepare maps, plats or block books for the use of the county assessor or said board, he shall be and he is hereby allowed only the actual cost of preparing the same.

The said county surveyor shall render to the auditor of said county a sworn statement, showing therein the kind and nature of work performed, the dates, amounts to be paid to assistants and the amounts paid for expenses.

The deputy, stenographer, draftsmen, transitmen, rodmen, chainmen and inspectors herein provided for shall be appointed by the county surveyor and their salaries shall be paid by said county, in equal monthly installments, at the same time and in the same manner and out of the same fund as are the salaries of the county officers of this class.

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 6, line 21, of the printed bill, as amended, strike out the following: "one hundred fifty", and insert in lieu thereof "one hundred seventy-five".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 6, line 24, of the printed bill, as amended, strike out the words "ninety-five dollars", and insert in lieu thereof the following words: "one hundred twenty dollars."

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 6, line 26, of the printed bill, as amended, strike out the following words: "seventy-five dollars", and insert in lieu thereof the following: "ninety-five dollars".

Amendment adopted.

## AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, as amended, strike out lines 50 to 52, both inclusive, and on page 7 of the printed bill, as amended, strike out lines 1 to 13, both inclusive.

Amendment adopted.



## AMENDMENT NUMBER NINE.

On page 7, line 14, of the printed bill, as amended, strike out the figures "16", and insert in lieu thereof the figures "15".

Amendment adopted.

## AMENDMENT NUMBER TEN.

On page 7, line 23, of the printed bill, as amended, strike out the figures "17", and insert in lieu thereof the figures "16".

Amendment adopted.

## AMENDMENT NUMBER ELEVEN.

On page 7, line 37, of the printed bill, as amended, strike out the figures "18", and insert in lieu thereof the figures "17".

Amendment adopted.

## AMENDMENT NUMBER TWELVE.

On page 8, line 3, of the printed bill, as amended, strike out the figures "19", and insert in lieu thereof the figures "18".

Amendment adopted.

## AMENDMENT NUMBER THIRTEEN.

On page 8, line 26, of the printed bill, as amended, strike out the figures "20", and insert in lieu thereof the figures "19".

Amendment adopted.

## AMENDMENT NUMBER FOURTEEN.

On page 8, line 33, of the printed bill, as amended, strike out the figures "21", and insert in lieu thereof the figures "20".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 716—An act to amend section 4241 of the Political Code, relating to salaries of officers and employees of counties of the twelfth class.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the colon, strike out the balance of line 14 and down to and including the word "annum" in line 19, and insert in lieu thereof the following: "One chief deputy at a salary of two thousand five hundred fifty dollars per annum, two deputies at a salary of two thousand two hundred fifty dollars each per annum, three deputies at a salary of two thousand one hundred dollars each per annum, one deputy at a salary of one thousand nine hundred fifty dollars per annum, and one deputy at a salary of one thousand eight hundred dollars per annum".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 16, of the printed bill, after the period after the word "capacity", strike out the balance of the paragraph, and insert in lieu thereof the following: "The provisions herein contained shall apply to the deputies of the present incumbent."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 3, line 8, of the printed bill, after the word "aggregate", insert the words "per annum".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 8, of the printed bill, strike out the words "six thousand", and insert in lieu thereof the words "four thousand eight hundred".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 42, of the printed bill as amended in the Assembly on April 11th, after the period after the word "county", insert the following: "The provisions herein contained shall apply to the deputies of the present incumbents."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 45, of the printed bill, after the word "is" strike out the words "six thousand", and insert in lieu thereof the words "four thousand eight hundred".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 9, line 3, of the printed bill, commencing with the word "and", strike out the balance of the paragraph.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 9, after line 30, of the printed bill, insert the following paragraphs: Judicial township number thirteen, estimated population one thousand thirty-eight, one justice of the peace with a salary of three hundred dollars per annum; one constable at a salary of three hundred dollars per annum.

Judicial township number fourteen, estimated population two hundred, one justice of the peace at a salary of two hundred forty dollars per annum; one constable at a salary of two hundred forty dollars per annum.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 217—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products on commission and to create a produce dealers' license fund; to define the purposes of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products on commission; to provide under certain contingencies for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor; and to repeal all conflicting acts or parts of acts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 414—An act to amend sections 1 and 2 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, so as to prohibit the exacting of cash bonds unless employees are entrusted with goods, money or property of equivalent value, providing for the protection of money put up as a cash bond and providing penalties for violation of the act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the following: "or is to be entrusted."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 19, of the printed bill, strike out the following: "/or".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 2, line 20, of the printed bill, strike out the period following the word "agreement", and insert in lieu thereof the following: ", or the fulfillment of the contract or agreement in cases where no money, goods or other property is entrusted to the employee or applicant for employment, subject only to such deduction as may be necessary to balance accounts between said employer and said employee or applicant for employment."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 68—An act to amend section 1188 of the Political Code, relating to independent nominations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 304—An act to amend section 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers, and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to the use of voting machines.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1223—An act to amend section 1 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, relating to statements of candidates.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 920—An act to amend sections 514, 515 and 516 of the Political Code, relating to the Superintendent of Public Instruction.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1, after the title of the printed bill, insert the following: "The people of the State of California do enact as follows:"

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Assembly Bill No. 958—An act to provide for an actuarial investigation of the public school teachers' retirement salary fund and providing for an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 468—An act to amend section 1714 of the Political Code, relating to school library funds in cities, or cities and counties.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, following the word "cents", insert "nor more than one dollar".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 261—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, following the word "thereof", insert the following: "except pupils living within the limits of any city,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 471—An act to amend section 1650 of the Political Code, relating to the duties of the clerks of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 471 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Rush, Slater, Swing, Tubbs, Wag, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 247—An act to amend the "Water Commission Act," approved June 16, 1913, as amended, by adding thereto a new section, to be numbered 206, relating to a reservation of a portion of the waters originating within a county for use within said county of origin and providing for the appropriation and use of such water, declaring all portions of said "Water Commission Act" not inconsistent with this amendment to be applicable thereto, and declaring the provisions of section 46 of said "Water Commission Act" to be applicable to this amendment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 247 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones,



H. C. Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wag, West, and Young—31.

NOES—Senator Weller—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 829—An act to amend sections 5, 10, 26, 31, 36, 45, 48, 49, and 60 of the "State Housing Act" approved June 15, 1923, as amended, relating to garages, air intakes, sinks, exits, ceiling heights, gas heaters and ventilation.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 829 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wag, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 637—An act to amend section 3 of the Prepared Milk Act relating to the preparation of certain products for poultry or stock feed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 637 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wag, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1209—An act to amend section 2 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the powers of the Los Angeles County Flood Control District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1209 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 899—An act to amend section 4287 of the Political Code, relating to fees and salaries of county and township officers in counties of the fifty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 899 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 908—An act to amend section 1687 of the Political Code, relating to the salaries of teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 908 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 377—An act to amend section 378 of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 377 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 378—An act to add a new section to the Code of Civil Procedure to be numbered 379c, relating to the joinder of parties defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 378 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley,

Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Waggy, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 305—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19 and 21 of the General Dairy Law of California, relating to milk and products of milk and containers thereof, labeling, adulterants, dairy plant sanitation, pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith, and making an appropriation for the enforcement of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly bill No. 305 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 401—An act to amend section 3787 of the Political Code and relating to the effect of certain deeds to the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 401 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Tubbs, Waggy, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 709—An act to amend sections 3457, 3465, 3466 and 3480 of the Political Code and section 3480½ thereof, as enacted by chapter CCLXXXVII of the Statutes of 1923 of the State of California, relating to reclamation districts, and to add a new section, 3468, providing for an annual levy or call of assessment to pay warrants of said districts, and to add a new section, 3493a, providing for payment of expenses of county treasurers in proceedings to collect assessments to pay principal or interest of bonds of said districts, and to add a new section, 3493b, providing for issuance of duplicate bonds and warrants for lost, destroyed, mutilated, and defaced bonds and warrants of said districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 709 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Slater, Swing, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 244—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 244 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 27—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 27 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 162—An act to amend section 2 of an act entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds, by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, as amended, relating to bridge and highway districts.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 162 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 1120—An act to amend sections 1517, 1518, 1519, 1519a, 1520, and 1521 of the Political Code, relating to State educational offices, and to add a new section to the Political Code to be numbered 1522.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1120 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1232—An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1232 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Wagy, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 682—An act to amend sections 2168 and 2171 of the Political Code, relating to insane persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 682 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BOGGS IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Senator Boggs of the Tenth District was called to the chair.

Assembly Bill No. 584—An act to amend section 4282 of the Political Code, relating to salaries of officers in counties of the fifty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 584 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 585—An act to amend section 4276 of the Political Code, relating to the salaries and fees of officials in counties of the forty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 585 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 764—An act to amend section 4258 of the Political Code, relating to the salaries of county officers in counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 764 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 921—An act to amend section 1775 of the Political Code, relating to certification of teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 921 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Waggy, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1207—An act to add new sections to article IIc of chapter III of title I of part III of the Political Code to be numbered sections 362g, 362h and 362i of said code, creating a Division of Libraries in the Department of Education and providing for the administration thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1207 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 529 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 744—An act to amend sections 5, 6 and 37 of an act entitled "An act to provide for the organization and government of conservancy districts for certain specified purposes; to provide for the issuance, sale and hypothecation of district bonds to pay the costs and expenses incurred in relation thereto, and to provide for the retirement of such bonds; to provide for the levying and collection of taxes to pay the annual installment of principal and interest on said bonds; to provide for levying and collecting special assessments for special benefits and to issue improvement warrants to represent such special

assessments for special benefits; to provide for the effect and enforcement of such improvement warrants and the application of moneys derived from the enforcement thereof; and to provide a method of dissolving such districts," approved May 16, 1919, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 744 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 141—An act to add a new section to the Political Code, to be numbered 4257*a*, relating to the compensation of the surveyor, his deputy and surveying crews in counties of the twenty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### UNFINISHED BUSINESS FILE.

Senate Bill No. 475—An act to validate all proceedings taken under the Street Opening Act of 1903, approved March 23, 1903, as amended.

#### SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 475, read previously.

The question being: Shall Senate Bill No. 475 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.



## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Conference on Assembly Bill No. 133 the following Assemblymen: Spalding, Deuel and Fisher, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

## REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 133—An act to amend sections 2322~~x~~21, 2322~~x~~2 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class, and second class—reports that it has met a like committee of the Assembly, consisting of Assemblymen Spalding, Deuel and Fisher, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

WELLER,  
YOUNG,  
INGRAM,

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject matter was referred to a Committee on Free Conference to be appointed by the President.

## COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Slater, Johnson and Allen, J. M., as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 133.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Assembly Bill No. 133—An act to amend sections 2322~~x~~21, 2322~~x~~2 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class, and second class—recommending the appointment of a Committee on Free Conference, and the following Assemblymen were appointed: Parkman, Jacobson and Oliva, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Conference on Assembly Bill No. 570 the following Assemblymen: Sewell, Davis and Fry, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

## REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 570—An act to amend section 1609 of the Political Code, relating to persons employed in public school service—reports that it has met a like committee of the Assembly, consisting of Assemblymen Sewell, Davis and Fry, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

WAGY,  
WEILER,  
JONES, RAY,

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject matter was referred to a Committee on Free Conference to be appointed by the President.

## COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Johnson, Murphy and Jones, H. C., as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 570.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Assembly Bill No. 570—An act to amend section 1609 of the Political Code, relating to persons employed in public school service—recommending the appointment of a Committee on Free Conference, and the following Assemblymen were appointed: Little, Williamson, and Byrne, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Conference on Assembly Bill No. 638 the following Assemblymen: Seudder, Deuel and Adams, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

## REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges—reports that it has met a like committee of the Assembly, consisting of Assemblymen Seudder, Deuel and Adams, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

CHAMBERLIN,  
INGRAM,  
JOHNSON,

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject matter was referred to a Committee on Free Conference to be appointed by the President.

## COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Young, Weller and Boggs as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 638.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges—recommending the appointment of a Committee on Free Conference, and the following Assemblymen were appointed: Reindollar, Noyes and Leymel, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 238—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-EIGHT.

## AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, strike out the punctuation mark "." and after the word "felony", add the words "subsequent to the procuring of his license".

## AMENDMENT NUMBER TWO.

In line 13 of the title of the printed bill, as amended March 30, 1927, after the figures and comma "1919," add the following: "as amended".

## AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, as amended March 30, 1927, after the figures and comma "1919," add the following: "as amended".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 238?

The roll was called, and Assembly amendments to Senate Bill No. 238 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; McKinley, Mueller, Pedrotti, Slater, Tubbs, Waggy, Weller, and Young—28.

NOES—None.

Senate Bill No. 238 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 342—An act requiring certain reports to be made concerning children with impaired hearing.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FORTY TWO.

## AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill as amended, after the word "minor", insert the following: "who is totally deaf or".

## AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill as amended, after the word "address", insert the following: "of the California School for the Deaf and also".

## AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill as amended, after the word "nearest", strike out the words "school for the deaf", and in lieu thereof insert the following: "public school for the deaf and the nearest public school for the hard of hearing, if there be either or both in the county".

## AMENDMENT NUMBER FOUR.

On page 1, line 13, of the printed bill as amended, strike out the word "school", and insert in lieu thereof the following: "schools or either of them".

## AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill as amended, after the word "to", strike out the words "the nearest school for the deaf", and in lieu thereof insert the following: "each of the schools mentioned in section 2 hereof".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 342?

The roll was called, and Assembly amendments to Senate Bill No. 342 concurred in by the following vote:

AYES—Senators Allen J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray: Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, and Young—30.

NOES—None.

Senate Bill No. 342 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 203—An act to amend sections 4, 5, 7, 35 and 41 of an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, exclusion of public property and mode of assessing and levying special assessment taxes.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THREE.

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended March 14, 1927, insert a comma after the word "four", and in line 2 of the title of said bill, after the word "eleven," insert the word "thirty-one,".

## AMENDMENT NUMBER TWO.

In line 9 of the title of the printed bill, as amended March 14, 1927, strike out the following: "exclusion of public property and".

## AMENDMENT NUMBER THREE.

In line 17 of the title of the printed bill, as amended March 14, 1927, insert the following new matter after the comma following the word "objections": the including in acquisitions of removals, relocations and structural changes".



## AMENDMENT NUMBER FOUR.

On page 5, line 45, of the printed bill, as amended March 14, 1927, insert a comma after the word "municipality".

## AMENDMENT NUMBER FIVE.

On page 7, line 24, of the printed bill, as amended March 14, 1927, strike out the comma following the word "improvements".

## AMENDMENT NUMBER SIX.

On page 9, line 42, of the printed bill, as amended March 14, 1927, strike out the following: "or more than three-fourths".

## AMENDMENT NUMBER SEVEN.

On page 11, line 6, of the printed bill, as amended March 14, 1927, insert a comma after the word "both".

## AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, as amended March 14, 1927, strike out the word "The" in line 10, and strike out all of lines 20 to 25, inclusive, and insert in lieu thereof the following: "The successful bidder shall, within fifteen days after the first publication of the notice of award, make payment to the treasurer in cash for such bonds, which shall be used by said treasurer in the same manner as if such bonds were sold separately: *provided, however,* that the successful bidder shall not be entitled to a contract for the said work or improvement until such payment is made and until the plaintiff in the action to acquire the public way or ways required has obtained a valid court order, judgment or decree entitling it to possession of the public way or ways to be improved. In such cases, the twenty days after the first publication of the notice of award provided in section 14 for entering into the contract shall be extended to ten days after the entry of such order, judgment or decree."

## AMENDMENT NUMBER NINE.

On page 12 of the printed bill, as amended March 14, 1927, add the following new matter after line 11:

Sec. 63. Section 31 of said "acquisition and improvement act of 1925" is hereby amended to read as follows:

Sec. 31. For the purpose of assessing the compensation and damages, the right thereto shall be deemed to have accrued at the date of the issuance of summons, and its actual value at that time shall be the measure of compensation for all property to be actually taken, and the basis of damages to property not actually taken but indirectly affected, in all cases where such damages are allowed by the provisions of this act, *provided*, that in any case in which the issue is not tried within one year after the date of the issuance of summons, unless the delay is caused by the defendants, the compensation and damages shall be deemed to have accrued at the date of trial, and its actual value at that time shall be the measure of compensation.

If an order of the court be made letting plaintiff into immediate possession and the plaintiff shall take immediate possession upon commencing eminent domain proceedings and thereupon giving such security in the amount of money deposited as the court may determine to be reasonable to secure compensation to the owner, as provided in section 14 of article I of the constitution of this State, then the compensation and damages awarded shall draw interest at the rate of seven per cent per annum from the date of such order.

No improvements placed upon the property proposed to be taken subsequent to the date of the publication of the resolution of intention in the proceeding shall be included in the assessment of compensation or damages.

The referees, or the court, or the jury, as the case may be, shall find separately:

First: The value of each parcel of property sought to be condemned, and all improvements thereon pertaining to the realty, and of each separate estate or interest therein:

Second:—If any parcel of property sought to be condemned is only a part of a larger parcel, the damages which will accrue to the portion not sought to be condemned, and to each separate estate or interest therein, by reason of the severance therefrom of the portion sought to be condemned, and the construction of the improvement in the manner proposed by the plaintiff. Such damages must be fixed irrespective of any benefit from such improvement.

In those cases where the acquisition includes the relocation or removal of, or the making of structural changes in, any railroad, street or interurban railway tracks or structures or other public utility structures or equipment, the compensation to be paid for such relocation, removal or change, or the damages occasioned by the ordering thereof, shall be ascertained and assessed and shall become a part of the award and a part of the expense of the acquisition as other compensation and damages. Where prayed for in the complaint and the complaint describes and is accompanied by a map or diagram showing the location and proposed relocation, removal or change the court shall, in addition to the condemnation ordered, order such relocation, removal or change.

## AMENDMENT NUMBER TEN.

On page 12, line 19, of the printed bill, as amended March 14, 1927, strike out the following: "section 28 of".

## AMENDMENT NUMBER ELEVEN.

On page 12 of the printed bill, as amended March 14, 1927, strike out the following in line 37: "section 28", and strike out the first word in line 38, said word being "of".

## AMENDMENT NUMBER TWELVE.

On page 13, line 41, of the printed bill, as amended March 14, 1927, strike out the word "Acquisition", and insert in lieu thereof the word "Acquisition".

## AMENDMENT NUMBER THIRTEEN.

On page 17, line 44, of the printed bill, as amended March 14, 1927, strike out the following: "(period)".

## AMENDMENT NUMBER FOURTEEN.

On page 21, line 27, of the printed bill, as amended March 14, 1927, insert "thoroughfares," after "alleys."

## AMENDMENT NUMBER FIFTEEN.

On page 22, line 3, of the printed bill, as amended March 14, 1927, strike out the period following the word "part", insert in lieu thereof a comma followed by the following new matter: "including the relocation or removal of, or the making of structural changes in, any railroad, street or interurban railway tracks or structures, or other public utility structures or equipment, therein or thereon or within any right of way adjacent thereto, or made necessary or convenient by reason of the proposed improvement or acquisition."

## AMENDMENT NUMBER SIXTEEN.

On page 23, line 38, of the printed bill, as amended March 14, 1927, strike out the word "referee", and insert in lieu thereof the word "referees".

## AMENDMENT NUMBER SEVENTEEN.

On page 4 of the printed bill, as amended March 14, 1927, strike out lines 51 and 52, and insert in lieu thereof the following: "to be made on the second day of January or the second day of July (whichever month first succeeds the date of the bonds) next succeeding one year after the".

## AMENDMENT NUMBER EIGHTEEN.

On page 16 of the printed bill, as amended March 14, 1927, strike out line 38, and insert in lieu thereof the following: "of July (whichever month first succeeds the date of the bonds) next succeeding one year after".

## AMENDMENT NUMBER NINETEEN.

On page 5 of the printed bill, as amended in the Senate March 14, 1927, insert the following new matter after the word "utility" in line 41: ", except as otherwise provided in this section".

## AMENDMENT NUMBER TWENTY.

On page 6 of the printed bill, as amended in the Senate March 14, 1927, insert the following new matter following line 45:

In those cases where the improvement consists entirely of a separation of grades at any crossing of a street railroad, interurban railroad or railroad by any public way, or vice versa, as provided in section 50 hereof, all operative property owned or operated by the public utility which owns or operates the said railroad shall be omitted from the district and from the levy and collection of special assessment taxes therefor where any part of the cost and expense of such construction is to be, or has been, under an order of the railroad commission of this state, or pursuant to the provisions of any franchise owned or operated by such public utility, borne or paid by such public utility; but where the work of constructing such grade separation, a part of the cost of which is so borne or paid by such public utility, constitutes only a part of the improvement or improvement and acquisition included in the proceeding, the operative property owned and operated by such public utility in the district shall be separately zoned to relieve such property from the levy and collection of any special assessment taxes to cover the expense of the construction of such grade separation, and the percentage assigned to such zone shall represent only the proportionate part of the benefits accruing to such property from the remainder of such improvement or improvement and acquisition, exclusive of the cost and expense of such grade separation.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 203?

The roll was called, and Assembly amendments to Senate Bill No. 203 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Wagy, Weller, and Young—30.

NOES—None.

Senate Bill No. 203 ordered to enrollment.

#### RESOLUTIONS.

The following resolutions were offered:

By Senator Crowley:

*Resolved*, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate:

Dorothy Inman, Assistant Journal Clerk	\$5 00 per day
Norma Brown, Stenographer	5 00 per day
Pearl Power, Stenographer	5 00 per day

Resolution read, and on motion of Senator Crowley adopted.

Also:

*Resolved*, That the following named persons be and they are hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Agnes Auhagen, Assistant Journal Clerk	\$5 00 per day
George Cartwright, Stenographer	5 00 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Wagy, and Weller—29.

NOES—None.

#### RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock.

#### RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### LEAVES OF ABSENCE.

Senator Gray was, on motion of Senator Crowley, granted leave of absence for the remainder of this day.

Senator Mueller was, on motion of Senator Swing, granted leave of absence for the remainder of this day.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding two new sections thereto to be known as and numbered sections 3 and 4 of article XIV thereof, relating to water rights—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—9; committee vote: Ayes—7; absent—1; not voting—1.

ALLEN, N. M., Chairman.

Assembly Constitutional Amendment No. 27 ordered on file.

## ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 320—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 651—An act to amend section 2322r26 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies and inspectors and clerks, of the counties of the twenty-sixth class;

Also: Assembly Bill No. 1267—An act to amend section 1613 of the Penal Code, relating to prisoners in county jails;

Also: Assembly Bill No. 1281—An act to add a new section to the Political Code to be numbered 4256b, relating to the compensation and expenses of county surveyors, their deputies, assistants and employees, in counties of the twenty-seventh class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership 11; committee vote: Ayes—7; absent—4.

CHRISTIAN, Chairman.

Assembly Bills Nos. 320, 651, 1267 and 1281 ordered on file for second reading.

## ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1279—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Bernardino, and providing for the appointment of an additional judge and for his compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

SWING, Chairman.  
CHRISTIAN.  
COBB.  
FELLOM.  
INGRAM.  
JOHNSON.  
MALONEY.  
McKINLEY.  
TUBBS.

Assembly Bill No. 1279 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 677—An act providing for the creation and management of the Tamalpais State Park, making an appropriation therefor and creating the Tamalpais State Park Commission, with power to acquire land and other property for the creation, maintenance and improvement of said park, and for additions



thereto, and to maintain and manage the same, and to appoint a guardian thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

(Signed out)

SWING, Chairman.  
CHRISTIAN.  
COBB.  
FELLOM.  
INGRAM.  
JOHNSON.  
MALONEY.  
McKINLEY.  
TUBBS.

Assembly Bill No. 677 ordered re-referred to Committee on Finance.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 311—An act to amend section 50 of the "Acquisition and Improvement Act of 1925" relating to definition of terms;

Also: Assembly Bill No. 670—An act to amend section 79 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to definitions of terms;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

LYON, Chairman.

Assembly Bills Nos. 311 and 670 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 5a, 9a, 28a, 33b, 33c, 36a, and 372, relating to rate of interest on bonds, the construction of improvements in portions, the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

LYON, Chairman.  
ALLEN, J. M.  
ALLEN, N. M.  
BAKER.  
CHRISTIAN.  
COBB.  
CROWLEY.  
GRAY.

Senate Bill No. 740 ordered on file for second reading.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitution Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Constitutional Amendment No. 35 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution, relating to manner of fixing compensation of certain officers and jurors.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Constitutional Amendment No. 34 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 35—Relative to the installation of ventilating systems in the Assembly and Senate chambers.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 35 read, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 120—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations:

Also: Assembly Bill No. 171—An act to amend section 5 of the Hide and Brand Law, relating to revocation of licenses;

Also: Assembly Bill No. 235—An act to amend section 1121 of the Political Code, relating to registration of electors;

Also: Assembly Bill No. 381—An act to amend section 632 of the Code of Civil Procedure and to repeal sections 633 and 634 of the Code of Civil Procedure, relating to findings of fact and conclusions of law and the entry of judgment;

Also: Assembly Bill No. 461—An act providing for the organization and government of public service districts for the purpose of establishing and maintaining public labor camps;

Also: Assembly Bill No. 560—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the fortieth class;

Also: Assembly Bill No. 578—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges;

Also: Assembly Bill No. 629—An act to amend sections 1, 3, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools;

Also: Assembly Bill No. 662—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry;

Also: Assembly Bill No. 775—An act to amend sections 30 and 77 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to the Chief of the Division of Motor Vehicles and registration fees;

Also: Assembly Bill No. 803—An act to amend sections 2a, 7, 11, 14, 14a, 14d, 15a, 36, 37 and 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended;

Also: Assembly Bill No. 827—An act to amend section 594 of the Political Code, relating to the classification of insurance, and the reserves required in certain classes;

Also: Assembly Bill No. 830—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Bill No. 924—An act to amend sections 1720, 1750a and 1617 of the Political Code, relating to schools;

Also: Assembly Bill No. 1012—An act to amend section 11 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the time within which to file claims with the Industrial Accident Commission in certain cases;

Also: Assembly Bill No. 1031—An act to amend section 26 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to subrogation procedure in workmen's compensation cases;

Also: Assembly Bill No. 1058—An act to regulate the sale and issuance of licenses to take Pismo clams for purposes other than for sale or profit in order to provide revenue therefrom for the preservation, protection and restoration of Pismo clams, and to provide penalties for the violation of this act;

Also: Assembly Bill No. 1060—An act to amend section 737j of the Political Code, relating to salaries of judges of the superior courts of the county of San Luis Obispo;

Also: Assembly Bill No. 1221—An act to add a new section to be numbered 54 to an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said map unless the same are recorded," approved March 15, 1907, as amended, relating to subdivisions of land bounded on any side, or in any way, by the ocean, or by an inlet, bay, estuary, or arm thereof;

Also: Assembly Bill No. 1224—An act appropriating money to pay the claim of Tryon and Brain against the State of California;

Also: Assembly Bill No. 1256—An act to amend sections 1, 2, 9, and 12 of an act entitled "An act to establish pilot and pilot regulations for the ports of San Francisco, Mare Island, Vallejo and Benicia," approved March 22, 1870, and to add to said act a new section numbered 26, relating to the powers, duties and compensation of the Board of Pilot Commissioners for said ports, and making an appropriation for the support of said board during the seventy-ninth and eightieth fiscal years;

Also: Assembly Bill No. 1286—An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended;

Also: Assembly Bill No. 1287—An act to add a new section to the Political Code, to be numbered 737a, relating to the salary of the judge of the superior court of the county of Alpine;

Also: Assembly Bill No. 1289—An act to amend section 9 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to powers and duties of Veterans' Welfare Board;

Also: Assembly Bill No. 1290—An act to add a new section to the Political Code to be numbered 4041a, relating to county jails;

Also: Assembly Bill No. 1292—An act authorizing the State Board of Prison Directors to transfer to the California Highway Commission from the appropriations for the support of San Quentin Prison or Edison Prison an amount or amounts, not to exceed one hundred thousand dollars, for the purpose of providing compensation for such convicts as may be in the custody of the California Highway Commission in accordance with the provisions of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith, approved June 9, 1923," as amended, and as the same may be amended from time to time;

Also: Assembly Bill No. 1293—An act to amend section 231 of the Code of Civil Procedure, relating to juries;

Also: Assembly Bill No. 1080—An act to amend sections 3, 4, 6, 7, 8, and 9 of an act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide

for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925, and to add thereto a new section to be numbered 13, relating to licenses for the operation of motor vehicles for transportation for hire or compensation, reports on such operations, the assessment of such operations, certain exemptions and the procedure relating to refunds of taxes or the cancellation of any assessment levied under the provisions of said act.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 120 read first time, and referred to Committee on Insurance.

Assembly Bill No. 171 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 235 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 381 and 461 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 560 read first time, and referred to Committee on County Government.

Assembly Bill No. 578 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 629 read first time, and referred to Committee on Education.

Assembly Bill No. 662 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 775 read first time, and referred to Committee on Motor Vehicles.

Assembly Bill No. 803 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 827 read first time, and referred to Committee on Insurance.

Assembly Bill No. 830 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 924 read first time, and referred to Committee on Education.

Assembly Bills Nos. 1012 and 1031 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1058 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1060 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1221 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1224 read first time; and referred to Committee on Finance.

Assembly Bill No. 1256 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1286 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1287 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1289 read first time, and referred to Committee on Military Affairs.



Assembly Bill No. 1290 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1292 read first time, and referred to Committee on Finance.

Assembly Bill No. 1293 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1080 read first time, and referred to Committee on Motor Vehicles.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Concurrent Resolution No. 34—Relative to state of conflict of the county of Inyo and the county of Los Angeles over the possession of water in Owens Valley.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 34 read, and referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 557—An act to amend section 2322.40 of the Political Code, relating to the salaries of county horticultural commissioners, deputies and inspectors in counties of the fourth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 557 read first time, and referred to Committee on County Government.

#### SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding two new sections thereto to be known as and numbered sections 3 and 4 of article XIV thereof, relating to water rights.

#### COMMITTEE AMENDMENTS.

During the reading of Assembly Constitutional Amendment No. 27, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed measure, as amended April 11, 1927, strike out the words "wasteful use or wasteful", and insert in lieu thereof the following: "unreasonable use or unreasonable".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed measure, as amended April 11, 1927, strike out the words "wasteful use or wasteful", and insert in lieu thereof the following: "unreasonable use or unreasonable".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 24, of the printed measure, as amended April 11, 1927, strike out the word "wasteful", and insert in lieu thereof the word "unreasonable".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed measure, in line 3 of the title, strike out the words "two new", and strike out all of lines 4, 5 and 6 of said title, and insert in lieu thereof the following: "a new section thereto to be known as and numbered section three of article fourteen thereof, relating to water rights."

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 6, of the printed measure, strike out the words "two new sections to be", and strike out all of line 7 and insert in lieu thereof the following: "a new section to be known as and numbered section 3, be added to article".

Amendment adopted.

Assembly Constitutional Amendment No. 27 ordered to print, and on file for third reading.

Assembly Bill No. 320—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*l*, 4236*n*, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 651—An act to amend section 2322.26 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies and inspectors and clerks, of the counties of the twenty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1267—An act to amend section 1613 of the Penal Code, relating to prisoners in county jails.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1281—An act to add a new section to the Political Code to be numbered 4256*b*, relating to the compensation and expenses of county surveyors, their deputies, assistants and employees, in counties of the twenty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1279—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Bernardino, and providing for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 311—An act to amend section 50 of the "Acquisition and Improvement Act of 1925" relating to definition of terms.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

Strike out the entire title of the printed bill, as amended March 31, 1927, and insert in lieu thereof the following:

An act to add a new section to be numbered fifty and one-half to the "Acquisition and improvement act of 1925," approved May 23, 1925, relating to the status of territory, for the purpose of this act when the validity of the annexation of such territory to a municipality or city has been questioned, and to the doing of improvement work in or on, or the acquisition of, public ways in such territory.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended March 31, 1927, strike out all of lines 1 to 28, inclusive, and strike out all of pages 2 to 5, inclusive, and insert in lieu thereof the following:

SECTION 1. A new section to be numbered 50 $\frac{1}{2}$  is hereby added to the "Acquisition and improvement act of 1925," approved May 23, 1925, to read as follows:

Sec. 50 $\frac{1}{2}$ . If the validity of the annexation or purported annexation of unincorporated territory to a municipality or city is questioned in any suit, action or proceeding brought in or before a court of competent jurisdiction, such territory, for the purposes of each and every provision of this act shall be deemed not to have been annexed to such municipality or city but shall be deemed to be unincorporated territory of the county until a judgment declaring such annexation valid or invalid shall have become final; and any and all proceedings under the provisions of this act for the acquisition of any public way or ways or the doing of improvement work in or on any public way or ways in such territory or any part thereof, commenced subsequent to the institution or filing of any such suit, action or proceeding and prior to the date upon which judgment becomes final, shall be commenced and carried on to final completion by the county, which is hereby given full power and jurisdiction to do the same, and such proceedings so taken hereunder shall be as valid and legal in every respect as if such unincorporated territory had not been annexed to such municipality or city; *provided*, that the consent of the legislative body of such municipality or city shall first be obtained thereto and to the assessment of property in such territory.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 670—An act to amend section 79 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to definitions of terms.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended March 31, 1927, strike out the following: "amend section seventy-nine of", and insert in lieu thereof the following: "add a new section to be numbered seventy-nine *m* to".

Amendment adopted.

## AMENDMENT NUMBER TWO.

In the title of the printed bill, as amended March 31, 1927, strike out the last line and insert in lieu thereof the following: "relating to the status of territory, for the purposes of this act, when the validity of the annexation of such territory to a municipality or city has been questioned, and to the doing of any work or the making of any improvement in, on, along or under any street or place in such territory, under the provisions of said act."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended March 31, 1927, strike out lines 1 to 19, inclusive, and strike out all of pages 2 to 4, inclusive, and insert in lieu thereof the following:

SECTION 1. A new section to be numbered 79*m* is hereby added to "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the costs

thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, to read as follows:

*Sec. 79m.* If the validity of the annexation or purported annexation of unincorporated territory to a municipality or city is questioned in any suit, action or proceeding brought in or before a court of competent jurisdiction, such territory for the purposes of each and every provision of this act shall be deemed to have been annexed to such municipality or city and shall not be deemed to be unincorporated territory of the county until a judgment declaring such annexation valid or invalid shall have become final; and any and all proceedings under the provisions of this act for the doing of any work or the making of any improvement in, on, along or under any street or place in such territory or any part thereof, commenced subsequent to the institution or filing of any such suit, action or proceeding and prior to the date upon which such judgment becomes final, shall be commenced and carried on to final completion by the municipality or city, which is hereby given full power and jurisdiction to do the same, and such proceedings so taken hereunder shall be as valid and legal in every respect as if such unincorporated territory had been annexed to such city or municipality; *provided*, that the consent of the legislative body of such county shall first be obtained thereto and to the assessment of property in such territory.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Weller asked for and was granted unanimous consent to take up for second reading, out of the regular order, Senate Bill No. 740.

Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 5a, 9a, 28a, 33b, 33c, 36a, and 372, relating to rate of interest on bonds, the construction of improvements in portions, the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, strike out the word "left", and insert in lieu thereof the word "let".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 43, of the printed bill, strike out the word "not".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 11, of the printed bill, strike out the word "present", and insert in lieu thereof the word "prevent".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.



## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1075—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1075 to Senator Boggs, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 10, line 49, of the printed bill, as amended in the Assembly on April 1, 1927, strike out all of lines 49, 50, 51 and 52, inclusive.

## AMENDMENT NUMBER TWO.

On page 11 of the printed bill, beginning with line 1, strike out everything down to and including the word "the" in line 28, and insert in lieu thereof the following: "The sheriff six thousand dollars per annum. All mileage for service of papers in civil actions arising either inside or outside of the county, excepting actions in which the county is interested. All fees for service of papers in civil action. All expenses incurred in criminal cases and mileage in criminal cases, for each mile actually and necessarily traveled by automobile, ten cents per mile. *Provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff the following deputies, clerks and employees, who shall be appointed by the sheriff, and shall be paid salaries as follows: One undersheriff at a salary of two hundred fifty dollars per month; one deputy sheriff at a salary of two hundred twenty-five dollars per month; two deputy sheriffs at a salary of two hundred dollars per month each; one deputy sheriff to act in criminal cases, at a salary of two hundred dollars per month; one deputy sheriff to act as day jailer at a salary of one hundred seventy-five dollars per month; one deputy sheriff to act as night jailer at a salary of one hundred seventy-five dollars per month; two deputy sheriffs to act as bailiffs at a salary of one hundred eighty-five dollars each per month; two deputy sheriffs at a salary of one hundred fifty dollars per month each; one stenographer to the sheriff at a salary of one hundred fifty dollars per month; one office stenographer to the sheriff at a salary of one hundred forty dollars per month; *provided*, that the sheriff may employ from one to five persons to act as deputy sheriffs at a salary of not to exceed five dollars per day each, when in the judgment of the sheriff such deputies are necessary; *provided, however*, that the total amount of the".

## AMENDMENT NUMBER THREE.

On page 11, line 50, of the printed bill, after the word "month", strike out the balance of the line, and all of lines 51 and 52.

## AMENDMENT NUMBER FOUR.

On page 12, of the printed bill, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following: "and such copyists as the county recorder may appoint at a salary of four dollars and twenty-five cents per day, each; *provided, however*, that the total salary on a per diem basis paid to such last named copyists, shall not exceed the sum of three thousand five hundred dollars per annum; and such last named copyists, employed on a per diem basis, shall be paid for their services on the presentation and filing with the board of supervisors of said county, of their duly verified claims therefor, from the same fund as the salary of the county recorder is paid. The salaries of the other deputies, clerks and employees herein provided for, shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid."

## AMENDMENT NUMBER FIVE.

On page 12, line 26, of the printed bill, strike out the words "not to exceed", and insert in lieu thereof the word "of".

## AMENDMENT NUMBER SIX.

On page 12, line 43, of the printed bill, strike out the words "not to exceed", and insert in lieu thereof the word "of".

## AMENDMENT NUMBER SEVEN.

On page 13, line 18, of the printed bill, after the word "of", strike out the words "not to exceed five", and insert in lieu thereof the words "three and one-half". And on same page, same line of the printed bill, after the semicolon, insert the following: "and such clerks as the tax collector may appoint at a salary of four dollars per day each;"

## AMENDMENT NUMBER EIGHT.

On page 13, line 21, of the printed bill, strike out the words "at not to", and in line 22, same page, strike out the word "exceed".

## AMENDMENT NUMBER NINE.

On page 13, line 50, of the printed bill, strike out the words "twelve and", and in line 51, same page, strike out the words "one-half", and insert in lieu thereof the word "ten".

## AMENDMENT NUMBER TEN.

On page 14, strike out all of lines 41, 42, 43 and 44 of said bill, and insert in lieu thereof the following: "such additional deputy assessors at a salary of seven and one-half dollars per day each, and such additional clerks at a salary of four and one-half dollars per day each, and such additional copyists at a salary of four dollars per day each as the assessor may appoint; *provided, however*, that the total compensation of said additional deputy assessors, clerks and copyists shall not exceed the sum of seven thousand dollars."

## AMENDMENT NUMBER ELEVEN.

On page 17, line 30, of the printed bill, strike out the words "not to exceed".

## AMENDMENT NUMBER TWELVE.

On page 18, line 35, of the printed bill, strike out the word "twelve", and insert in lieu thereof the word "ten".

## AMENDMENT NUMBER THIRTEEN.

On page 18, line 36, of the printed bill, strike out the words "and one-half".

## AMENDMENT NUMBER FOURTEEN.

On page 18, line 37, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "*provided, however*, that the provisions of this paragraph shall not apply to or limit the provisions of paragraph sixteen of this section, providing for mileage of supervisors in counties of this class."

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1075, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 1242 to Senator Fellom, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the period following the word "commission", reinsert the strikeout, which is as follows: "The chairman of the commission shall be regarded as the executive officer thereof and shall receive as compensation a per diem of fifteen dollars per day when actually engaged upon the work of the commission, and the other two commissioners shall each receive as compensation a per diem of ten dollars per day when actually engaged upon the work of the commission and".

## AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, in the word "Each", first appearing therein, strike out the capital "E", and insert in lieu thereof the small letter "e".

## AMENDMENT NUMBER THREE.

On page 2, line 10, of the printed bill, after the word "interested", strike out the balance of line 10, all of line 11 and line 12, and to and including the word "advisable" in line 13.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1242, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print.

Assembly Bill No. 25—An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled "An act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, and all other acts or parts of acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 25 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 515—An act to amend section 688 of the Code of Civil Procedure, relating to executions in civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 515 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Swing, Tubbs, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 534—An act to amend section 1599 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 534 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagly, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1210—An act relating to the holding of the Tenth Olympiad in California, providing for the issuance and sale of State bonds to be known as "California Tenth Olympiad bonds," providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditure of the moneys in said fund for the said purposes, creating a commission to be known as the "California Olympiad Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1210 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagly, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 768—An act granting to the regents of the University of California for the use of the University of California in connection with scientific research and investigation at the Scripps Institution of Oceanography the sole and exclusive right of possession, occupation, and use of certain lands bordering on the Pacific ocean in the county of San Diego, State of California, and State waters adjacent thereto, forbidding entry upon said lands and State waters of any persons other than officers, employees, students of the University of California, and licensees of the regents of the University of California, making every violation of certain provisions of this act a misdemeanor, and providing for the punishment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 768 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagly, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 445—An act to authorize the Governor to appoint a commission to prepare plans and to select a site for a separate penal institution for women offenders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 445 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wag, Weller, and West—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An act to amend sections 23, 24, 25, 27, 61 and 62, 76 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to foreclosure of liens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Wag, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 170—An act to amend section 865 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to payments of claims and registration of warrants upon non-payment of such claims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 170 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Wag, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1260—An act to amend section 2 of an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1260 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### PRESIDENT PRO TEMPORE IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 1041—An act to amend section 4 of an act entitled "An act to provide for bridges across navigable streams, and across estuaries, fords, swamps, or arms of bays that may be outside of the line of navigable waters," approved March 14, 1881, relating to the notification of the State Engineer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1041 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATOR JONES, H. C., IN THE CHAIR.

At three o'clock and seven minutes p.m., Senator Jones, H. C., of the Twenty-ninth District was called to the chair.

Assembly Bill No. 805—An act to amend section 626s of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 805 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 199—An act to amend section 637c, of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 199 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 601—An act to amend the Penal Code by adding thereto a new section to be numbered 628k, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 660—An act to amend section 628f of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 660 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 649—An act to amend section 626*c* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 649 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 654—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 654 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1038—An act to amend section 635 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1038 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 448—An act to amend section 629 of the Penal Code, relating to the installation and maintenance of fish screens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 448 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Wagy, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 653—An act to amend section 626i of the Penal Code, relating to the limit of deer that may be taken, killed, destroyed or possessed in any one open season.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Wagy, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 998—An act to amend section 626f of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 807—An act to amend sections 1 and 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 807 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 404—An act to amend section 551 of the Civil Code, relating to the construction of canals, flumes, and other appliances for conducting water over public highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 404 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones,

Ray; Kline, Maloney, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 48—An act authorizing the State Department of Education, with the approval of the State Board of Control, to grant to the California Highway Commission certain lands belonging to the State of California situated in Siskiyou County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 48 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 751—An act to amend section 1 of an act entitled "An act authorizing the State Director of Institutions with the approval of the State Board of Control to grant to the county of Los Angeles for highway and road purposes the use of certain lands belonging to the State of California situated in Los Angeles County," approved May 18, 1925.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 751 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagy, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 160—An act to amend section 737k of the Political Code, relating to the annual salaries of the superior court judges of the State of California in and for the county of Santa Barbara.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hollister moved to refer Assembly Bill No. 160 to Senator Boggs, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, as amended March 28, 1927, strike out the word "salaries", and insert in lieu thereof the word "salary".

##### AMENDMENT NUMBER TWO.

On page 1, line 3, of the title of the printed bill, as amended March 28, 1927, strike out the word "judges", and insert in lieu thereof the word "judge".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 160, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Hollister adopted.

Bill ordered to print.

Assembly Bill No. 1100—An act to amend section 737ab of the Political Code, relating to the salary of the judge of Merced County.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 1100 to Senator Fellom, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended April 21, 1927, after the words "judge of", insert the following: "the superior court in and for".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1100, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print.

Assembly Bill No. 1128—An act to appropriate \$5,682.60 to be used for the improvement of the street or streets on and fronting on the property of the State of California, located at the Chico State Teachers College in the city of Chico.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1128 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1234—An act making an appropriation to meet the deficiency in the appropriation for the construction and furnishing of the administration building at the Santa Barbara State Teachers College.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1234 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C.,

Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Waggy, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

Assembly Bill No. 1280—An act to add a new section to the Political Code, to be numbered 4041a, authorizing counties to provide and maintain buildings, halls, meeting places and supply stations for the use of the United States War Department and the Navy Department or either of them.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1280 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 525—An act to amend section 752 of the Code of Civil Procedure, providing who may bring actions for partition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 525 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 526—An act to amend section 763 of the Code of Civil Procedure, in relation to judgments in partition actions and the procedure thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 526 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 527—An act to amend section 781 of the Code of Civil Procedure, providing for the action of the court where property



is sold in partition suits and there are contingent future rights or estates or life estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 527 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1179—An act to amend the title of and to add two new sections to be numbered 3a and 3b to an act entitled "An act appropriating money to pay the expenses of erecting a suitable building, and of collecting and maintaining an exhibit of the products of the State of California, at the Nevada Transcontinental Highways Exposition, to be held in the city of Reno, Nevada, in 1926, and to provide for a commissioner thereof," approved May 25, 1925, providing for the erection of a marker on the Victory highway and by appropriating and allocating a part of said moneys in order to erect said marker.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1179 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1229—An act to amend section 361 of the Political Code, relating to the Department of Agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1229 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1236—An act to amend section 366 of the Political Code, relating to the Department of Institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1236 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1202—An act to appropriate money to pay the claim of L. E. Hallowell, as county clerk of the county of Ventura, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1202 passed by the following vote:

AYES—Senators Allen, N. M., Breed, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 577—An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 577 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 38—An act providing for a Commission on Pensions of State Employees; providing for the appointment of members thereof; prescribing the powers and duties of such commission, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 38 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## ASSEMBLY CONCURRENT RESOLUTION No. 32.

Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-seventh session of the Legislature of the State of California.

*Resolved by the Assembly, the Senate concurring.* That leave of absence from the State of California for a longer period than sixty days, during their term of office, is hereby granted to His Excellency C. C. Young, Governor of the State of California; to Byron R. Fitts, Lieutenant Governor of the State of California; and to the following members of the Senate and Assembly of the forty-seventh session of the Legislature of the State of California:

Senators James M. Allen, Newton M. Allen, C. C. Baker, Frank S. Boggs, Arthur H. Breed, Victor J. Canepa, Harry A. Chamberlin, E. H. Christian, Charles H. Cobb, John Joseph Crowley, Herbert J. Evans, Roy Fellom, J. C. Garrison, P. J. Gray, Fred C. Handy, J. James Hollister, Edgar S. Hurley, Thomas Ingram, J. M. Inman, M. B. Johnson, Herbert C. Jones, Ray Jones, Chester M. Kline, Charles W. Lyon, Thomas A. Maloney, J. W. McKinley, Edwin A. Mueller, Daniel C. Murphy, H. C. Nelson, J. L. Pedrotti, Benjamin F. Rush, Will R. Sharkey, Herbert W. Slater, Ralph E. Swing, Cadet Taylor, Tallant Tubbs, J. I. Waggy, Frank C. Weller, T. C. West, and Sanborn Young.

Assemblymen Elbert G. Adams, D. P. Anderson, Roscoe J. Anderson, Willard E. Badham, C. D. Ball, Willis M. Baum, Van Bernard, Roy Bishop, Archibald E. Brock, Joseph F. Burns, William M. Byrne, Henry E. Carter, Harold C. Cloudman, F. C. Cloudsley, Frank L. Coombs, James C. Crawford, Bradford S. Crittenden, J. Croter, Howard W. Davis, Charles H. Deuel, H. E. Dillinger, Walter H. Duval, Robert P. Easley, Crowell D. Eddy, B. J. Feigenbaum, T. R. Finley, Robert F. Fisher, James C. Flynn, Charles A. Foster, Robert B. Fry, Vernon E. Gant, Frederick C. Hawes, E. Walton Hedges, Jr., S. L. Heisinger, William B. Hornblower, Leland R. Jacobsen, Chris N. Jespersen, Augustus F. Jewett, Jr., Isaac Jones, William P. Jost, Morgan Keaton, H. C. Kelsey, Thomas J. Lenchau, Edgar C. Levey, Z. S. Leymel, Walter J. Little, Harry Lyons, M. J. McDonough, Robert B. McPherson, Charles B. Melville, Miss Eleanor Miller, James A. Miller, Frank W. Mixer, Harry F. Morrison, J. J. Murphy, Roy J. Nielsen, Fred B. Noyes, Charles A. Oliva, Harry L. Parkman, Robert Lincoln Patterson, Charles F. Reindollar, Frederick M. Roberts, George W. Rochester, Eugene W. Roland, Jerome V. Scofield, Hubert B. Seudder, Harry F. Sewell, Edward J. Smith, Bert B. Snyder, C. C. Spalding, Byron J. Walters, N. V. Wemple, Percy G. West, John E. Wherrell, Dan E. Williams, Ray Williamson, Myron D. Witter, Mrs. Cora M. Woodbridge, Clare Woolwine, and T. M. Wright.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 32 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Weller, and Young—28.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 32 ordered transmitted to the Assembly.

Assembly Bill No. 533—An act to amend sections 1598 and 1599 of the Code of Civil Procedure, relating to the conveyance of property of decedents by executors or administrators, and the filing of petitions therefor, and the giving of notice thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 533 passed by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Christian, Cobb, Crowley, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, and Weller—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1247—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the appropriations of cost of grade separations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1247 passed by the following vote:

AYES—Senators Allen, J. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, and Weller—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 417 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 213—An act to amend section 2526a of the Political Code, relating to the powers of the Board of State Harbor Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 213 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Weller, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 1000—An act to reserve a part of San Francisco Bay and lands bordering thereon, for park purposes only.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1000 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, and Weller—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1208—An act to amend section 633a of the Political Code, relating to licensing of insurance brokers.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Assembly Bill No. 1208, as amended April 6, 1927, to Senator Christian, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended April 6, 1927, strike out the words "licensing of insurance brokers", and insert in lieu thereof the following: "insurance brokers and agents".

##### AMENDMENT NUMBER TWO.

On page 8 of the printed bill, as amended April 6, 1927, in line 3, preceding the word "reciprocal", insert the word "licensed".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1208, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Special Committee.

Report read, and on motion of Senator Hurley adopted.

Bill ordered to print.

Assembly Bill No. 225—An act to amend section 1161 of the Code of Civil Procedure, relating to the unlawful detainer by tenants of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 225 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, and Weller—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 228—An act to add a new section to the Code of Civil Procedure, to be numbered 1161*a*, relating to persons holding over in case of the sale of real property by virtue of execution, foreclosure of mortgage or under a power of sale contained in a deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 228 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, and Weller—24.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 262—An act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections 3682 and 3732 of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 262 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, and Weller—25.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 940—An act to amend section 3678 of the Political Code, relating to revenue and taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 940 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, and Weller—24.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 519—An act to amend section 172*a* of the Civil Code, relating to the management of community real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, and Weller—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1106—An act to amend section 1446 of the Penal Code, providing for judgment, fine and imprisonment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1106 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, and Weller—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of five hundred sixty-one dollars and sixty-nine cents (\$561.69) to pay the following bills:

State Supply Department, Supplies furnished to Senate-----	\$381 31
Ryan's Confectionery, Food furnished to Senate-----	43 45
Bancroft-Whitney Company, Law books-----	14 87
Purnell Stationery Company, Stationery, etc.-----	61 80
Cascade Towel Supply Company, Towel service to Senate-----	37 53
State Department of Finance, Telephone rentals-----	19 73
Wilcoxon & Wilson, Painting Senate box-----	3 00

Total ----- \$561.69

The same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, and Tubbs—25.

NOES—None.

Also:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of three hundred dollars (\$300) for postage, the same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

ALLEN, J. M., Chairman.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Pedrotti, Slater, Swing, Tubbs, and Weller—25.

NOES—None.

#### REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 133—An act to amend sections 2322a21 and 2322a2 of the Political Code, relating to the salaries and expenses of the county horticultural commissioner in counties of the twenty-first class and second class—reports that it has met a like committee of the Assembly, consisting of Assemblymen Parkman, Jacobson and Oliva, and that the Committee on Free Conference agreed upon and recommends that the Assembly concur in the Senate amendments, and that Assembly Bill No. 133 be further amended as follows:

#### AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended April 14, 1927, strike out the comma and insert in lieu thereof the word "and".

#### AMENDMENT NUMBER TWO.

In the title of the printed bill, as amended April 14, 1927, strike out lines 4 to 6, inclusive, of said title and insert in lieu thereof the following: "relating to the salaries and expenses of the county horticulture commissioners, their deputies, inspectors and clerks in counties of the second and twenty-first classes."

#### AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended April 14, 1927, between lines 13 and 14, insert the following:

"Sec. 2. Section 2322a2 of the Political Code is hereby amended to read as follows:"

#### AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, as amended April 14, 1927, after the word "deputy", insert a comma.

JOHNSON,  
ALLEN, J. M.  
SLATER.

Senate Committee on Free Conference.

PARKMAN,  
JACOBSON,  
OLIVA.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report of Committee on Free Conference and amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Pedrotti, Slater, Swing, Tubbs, Waggy, and Weller—24.

NOES—None.

Assembly Bill No. 133 and report of Committee on Free Conference ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 22, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 52—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-eighth class—has had the



same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

CHRISTIAN, Chairman.

Assembly Bill No. 52 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 560—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the fortieth class;

Also: Assembly Bill No. 557—An act to amend section 4263 of the Political Code, relating to the salaries, fees, and expenses of the county officers of counties of the thirty-fourth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

CHRISTIAN, Chairman.

Assembly Bills Nos. 560 and 557 ordered on file for second reading.

#### ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 235—An act to amend section 1121 of the Political Code, relating to registration of electors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

FELLOM, Chairman.

Assembly Bill No. 235 ordered on file for second reading.

#### ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 629—An act to amend sections 1, 3, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

EVANS, Vice Chairman.

HANDY.

HOLLISTER.

PEDROTTI.

SLATER.

MURPHY.

BAKER.

JOHNSON.

ALLEN, N. M.

CHRISTIAN.

HURLEY.

JONES, H. C.

Assembly Bill No. 629 ordered on file for second reading.

#### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 961—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-ninth and

eightieth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BREED, Vice Chairman.  
HOLLISTER.  
LYON.  
SWING.  
WEST.  
FELLOM.  
GRAY.

Assembly Bill No. 961 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1060—An act to amend section 737j of the Political Code, relating to salaries of judges of the superior courts of the county of San Luis Obispo;

Also: Assembly Bill No. 1287—An act to add a new section to the Political Code, to be numbered 737a, relating to the salary of the judge of the superior court of the county of Alpine;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

(Signed out)

SWING, Chairman.  
ALLEN, N. M.  
BREED.  
CHRISTIAN.  
COBB.  
FELLOM.  
McKINLEY.  
TUBBS.  
WELLER.

Assembly Bills Nos. 1060 and 1287 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 830—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-seventh and seventy-eighth fiscal years—has had the same under consideration, and respectfully reports the same back, and recommends that it be referred to Committee on Finance.

(Signed out)

SWING, Chairman.  
ALLEN, N. M.  
BREED.  
CHRISTIAN.  
COBB.  
FELLOM.  
McKINLEY.  
TUBBS.  
WELLER.

Assembly Bill No. 830 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 52—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-eighth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all thereof from lines 6 to 41, both inclusive, and insert the following in lieu thereof:

13. For the purpose of regulating the compensation of justices of the peace, the townships of counties of this class are hereby classified according to population, as follows:

Townships having a population of two thousand five hundred or more shall belong to and be known as townships of the first class; townships having a population of one thousand one hundred seventy-five and less than two thousand five hundred shall belong to and be known as townships of the second class; townships having a population of eight hundred and less than one thousand one hundred seventy-five shall belong to and be known as townships of the third class; townships having a population of less than eight hundred shall belong to and be known as townships of the fourth class.

For the purpose of this section, the population of the several judicial townships shall be ascertained by the board of supervisors by multiplying by three the number of registered voters in each township at the last general election.

14. Justices of the peace shall receive the following salaries: In townships of the first class the sum of one thousand two hundred dollars per annum; in townships of the second class the sum of six hundred dollars per annum; in townships of the third class the sum of two hundred forty dollars per annum; in townships of the fourth class the sum of twelve dollars per annum.

Such salaries shall be paid in the same manner and out of the same fund as the salaries of county officers are paid and shall be compensation in full for all services rendered.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 560—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the fortieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 557—An act to amend section 4263 of the Political Code, relating to the salaries, fees, and expenses of the county officers of counties of the thirty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 961—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-ninth and eightieth fiscal years.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 629—An act to amend sections 1, 3, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools.

#### COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

#### AMENDMENT NUMBER ONE.

On page 3, line 51, of the amended printed bill, and page 4, lines 1 and 2, of the amended bill, strike out the words "whatever part of the regularly established school term the high school board of the district shall determine.", and insert in lieu thereof the following: "such time as they are unemployed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 235—An act to amend section 1121 of the Political Code, relating to registration of electors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1060—An act to amend section 737*j* of the Political Code, relating to salaries of judges of the superior courts of the county of San Luis Obispo.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 21, 1927, at the end of line 4, strike out the comma; also strike out lines 5, 6 and 7, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1287—An act to add a new section to the Political Code, to be numbered 737*a*, relating to the salary of the judge of the superior court of the county of Alpine.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended April 21, 1927, and insert in lieu thereof the following:

An act to amend section seven hundred thirty-seven *a* of the Political Code, relating to the salary of the judge of the superior court in and for the county of Alpine.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 21, 1927, strike out lines 1 and 2 and insert in lieu thereof the following:

"SECTION 1. Section 737*a* of the Political Code is hereby amended to read as follows:"

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS--(RESUMED).

Assembly Bill No. 1271—An act to amend sections 3718 and 3820 of the Political Code, relating to the lien of taxes on real property and improvements and the collection of personal property taxes by the assessor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Wagy moved to refer Assembly Bill No. 1271 to Senator Allen, N. M., as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the numerals "XVIII", and insert in lieu thereof the numerals "VIII".

Motion carried.



## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1271, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, N. M., Special Committee.

Report read, and on motion of Senator Wagy adopted.  
Bill ordered to print.

## ADJOURNMENT.

At four o'clock and fifty-three minutes p.m., on motion of Senator Breed, the presiding Senator declared the Senate adjourned until ten o'clock and thirty minutes a.m., Tuesday, April 26, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Tuesday, April 26, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—38.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 25, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Nelson was, on motion of Senator Gray, granted leave of absence for this day.

Senator Taylor was, on motion of Senator Breed, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Eugene McGrath and Mr. Pete Piretti of Marysville, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. John O'Toole, city attorney of the city of San Francisco, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Walter J. Hicks of Sacramento, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Attorney Joseph A. Brown of San Francisco, California.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Robert G. Hooker of San Francisco, California.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

##### ON COUNTY GOVERNMENT.

##### SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1024—An act to add a new section to the Political Code, to be numbered 4264*b*, relating to highways and the highway tax in counties of the thirty-fifth class;

Also: Assembly Bill No. 1025—An act to add a new section to the Political Code, to be numbered 2655*a*, relating to records of county road districts;

Also: Assembly Bill No. 1092—An act relating to the service of county free libraries;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1024, 1025 and 1092 ordered on file for second reading.

##### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

##### SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 5*a*, 9*a*, 28*a*, 33*b*, 33*c*, 36*a*, and 372, relating to rate of interest on bonds, the construction of improvements in portions, the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action—and reports that the same has been correctly engrossed.

JONES, RAY, Chairman.

##### CONSIDERATION OF DAILY FILE.

##### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1024—An act to add a new section to the Political Code, to be numbered 4264*b*, relating to highways and the highway tax in counties of the thirty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1025—An act to add a new section to the Political Code, to be numbered 2655*a*, relating to records of county road districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1092—An act relating to the service of county free libraries.

Bill read second time, and ordered on file for third reading.

## MOTION TO WITHDRAW ASSEMBLY BILL.

Senator Murphy moved to withdraw Assembly Bill No. 177 from Committee on Labor and Capital and place on file.

The Secretary was directed to call the roll upon Senator Murphy's motion to withdraw Assembly Bill No. 177 from Committee on Labor and Capital and place on file.

The roll was called.

## CALL OF THE SENATE.

Pending the announcement of the vote, Senator Murphy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, N. M., Baker, Boggs, Breed, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Tubbs, Waggy, Weller, West, and Young—28.

The Secretary announced the absentees.

Time, ten o'clock and fifty-five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

## PROCEEDINGS UNDER CALL OF THE SENATE.

## THIRD READING OF SENATE BILLS.

Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 5a, 9a, 28a, 33b, 33c, 36a, and 372, relating to rate of interest on bonds, the construction of improvements in portions, the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action.

Bill read third time.

## RECOMMENDATION BY PRESIDING OFFICER.

In accordance with Joint Rule No. 35, I hereby recommend that the Senate grant permission to vote on Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 5a, 9a, 28a, 33b, 33c, 36a, and 372, relating to rate of interest on bonds, the construction of improvements in portions, the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action.

BURON R. FITTS, President of the Senate.

The question being: Shall the Senate grant permission to vote on Senate Bill No. 740?

The roll was called, and permission granted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister,

Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Tubbs, Waggy, Weller, West, and Young—33.  
 NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 740 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—32.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 430—An act to amend section 4278 of the Political Code, relating to salaries and fees of officials in counties of the forty-ninth class.

Bill read third time.

### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Garrison moved to refer Assembly Bill No. 430 to Senator Fellom, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 31 and line 32 up to and including the word "law", and insert in lieu thereof the following:

"12. The surveyor the sum of ten dollars per day for all services performed by him by virtue of his office and his necessary traveling expenses when performing official work in the field, such compensation and expenses to be allowed by, and paid on the order of, the board of supervisors".

#### AMENDMENT NUMBER TWO.

On page 3, line 35, of the printed bill, strike out the word "six", and insert in lieu thereof the word "twelve".

Motion carried.

### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 430, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read, and on motion of Senator Garrison adopted.

Bill ordered to print.

Assembly Bill No. 1064—An act to amend section 1610 of the Political Code, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1064 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, and Young—29.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 622—An act to amend section 1243 of the Penal Code, relating to appeals by defendants and the granting of certificates of probable cause.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 622 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 259—An act to amend section 1576 of the Political Code, relating to the organization of school districts in incorporated cities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 259 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 260—An act to amend section 1608 of the Political Code, relating to the sale of the personal property belonging to school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 260 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and fifteen minutes a.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Murphy.

The Secretary was directed to call the roll on motion to withdraw Assembly Bill No. 177 from committee.

The roll was called, and the motion to withdraw Assembly Bill No. 177 from Committee on Labor and Capital and have it placed on file was carried by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Maloney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, and Tubbs—22.

NOES—Senators Baker, Chamberlin, Christian, Cobb, Evans, Handy, Jones, Ray: Lyon, McKinley, Waggy, Weller, West, and Young—13.

Assembly Bill No. 177 ordered withdrawn from committee and placed on file.

Assembly Bill No. 395—An act to amend section 190 of the Penal Code, relating to murder in the second degree.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 395 to Senator Lyon, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "life," insert the following: "*provided, however*, this section is to apply to all persons now serving sentence in a state prison for murder of the second degree and the sentence of such persons may be modified or reduced to conform to this section."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 395, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print.

Assembly Bill No. 1257—An act to add a new section to the Political Code, to be numbered 4272a, relating to the compensation and expenses of the surveyor of counties of the forty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1257 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Swing, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1254—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1254 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Sharkey, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 1045—An act to amend the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by repealing section 25 thereof, relating to principal and contracting employers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1045 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Swing, Tubbs, Wagy, Weller, West, and Young—28.

NOES—Senators Fellom, and Mueller—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 593—An act to add a new section to the Penal Code, to be numbered 276, relating to abortion.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Kline moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, Weller, and West—26.

The Secretary announced the absentees.

Time, eleven o'clock and fifty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 728—An act to amend section 2687 of the Political Code, relating to laying out roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 728 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, Murphy, Pedrotti, Rush, Swing, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 586—An act to amend section 737 of the Political Code, relating to the salaries of the superior judges in Inyo, Mariposa and Mono counties.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 586 to Senator Fellom as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the word "Judges" and insert the word "Judge".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the word "Counties" and insert the word "County".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the words "and Mono are five", and insert the words "is four".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, strike out the words "of the county of Inyo.", and insert the words "the salaries of judges of the superior court of the counties of Inyo and Mono are each".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 586, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Special Committee.

Report read, and on motion of Senator Swing adopted.

Bill ordered to print.

Assembly Bill No. 630—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 630 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Swing, Tubbs, Waggy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 932—An act to validate all proceedings taken under the provisions of an act entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 932 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, Murphy, Pedrotti, Rush, Tubbs, Wag, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 748—An act to amend section 795 of the Political Code, relating to the protest of a notary as evidence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 748 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Tubbs, Wag, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, April 26, 1927.

*Lieutenant Governor Buron R. Fitts, Building.*

DEAR MR. FITTS: May I trouble you once more to request each member of the Senate to send me promptly a full written explanation of whatever bills he expects to come down for executive consideration?

Please ask that the bills be explained on separate sheets of paper, in order that these comments upon them may be separately filed. I should also appreciate having handed in such communications from others regarding the bills as the members are willing to hand over to me. This request also extends to all bills in which any senator is interested, either for or against, as well as to his own measures.

Finally, and very emphatically, may I ask that these comments on bills be handed to me at once. I am sorry to say that the normal work of bill-signing is being slowed up during this week, owing to the fact that I have failed to receive these comments and explanations of the author.

Even as to the bills passed during the final day or two of the session, it will be very necessary that I may be able to file away the communications from their respective authors before they leave Sacramento.

In making this request, I would be remiss if I did not also ask you please to express to the members of the Senate my real appreciation for the cooperation they are already according me in this matter.

Yours very sincerely,

C. C. YOUNG, Governor.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kline.

The Secretary was directed to call the roll on the passage of Assembly Bill No. 593.

The roll was called, and Assembly Bill No. 593 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Evans, Garrison, Handy, Inman, Johnson, Jones, H. C., Kline, McKinley, Pedrotti, Rush, Slater, Wagy, Weller, and Young—21.

NOES—Senators Boggs, Canepa, Christian, Fellom, Gray, Hollister, Hurley, Ingram, Lyon, Maloney, Mueller, Murphy, Sharkey, Swing, Tubbs, and West—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1271—An act to amend sections 3718 and 3820 of the Political Code, relating to the lien of taxes on real property and improvements and the collection of personal property taxes by the assessor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1271 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 992—An act to amend sections 8, 12 and 25 of and to add a new section to be numbered 13a to an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violations thereof," approved May 17, 1923.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 992 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 874—An act to amend section 2322r17 of the Political Code, relating to the compensation and expenses of county horticulture commissioners, deputies, inspectors and clerks in counties of the seventeenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 874 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1274—An act to amend section 2322r27 of the Political Code, relating to the salary and expenses of the horticultural commissioner, his deputies, and employees, in counties of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1274 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1276—An act to amend section 4252 of the Political Code, relating to salaries, fees and expenses of county officers in counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1276 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 267—An act to amend section 103½ of the Code of Civil Procedure of the State of California, relating to clerks of justices' courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 267 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 293—An act to amend section 4233 of the Political Code, relating to the salaries and expenses of officers of counties of the fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 293 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 716—An act to amend section 4241 of the Political Code, relating to salaries of officers and employees of counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 716 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 217—An act to provide for the bonding, licensing, regulation and supervision of produce dealers engaged in the handling, receiving or selling of farm products and to create a produce dealers' license fund; to define the purpose of the act and the terms used therein; to define the powers and duties of the State Director of Agriculture with reference thereto; to provide for the keeping of certain records concerning the sale of farm products; to provide for the revocation of produce dealers' license; to declare certain acts to be offenses and fix the penalties therefor; and to repeal all conflicting acts or parts of acts.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 217 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Sharkey, Swing, Tubbs, and Waggy—28.

NOES—Senators Canepa, Murphy, and West—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 414—An act to amend sections 1 and 2 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, so as to prohibit the exaction of cash bonds unless employees are entrusted with goods, money or property under certain restrictions, or unless said cash put up as a bond is deposited in a savings account in a bank under certain restrictions, and providing penalties for violation of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 414 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Tubbs, Waggy, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 68—An act to amend section 1188 of the Political Code, relating to independent nominations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 68 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Tubbs, Waggy, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 304—An act to amend section 23 of an act entitled "An act creating a State Commission on Voting Machines, defining their powers and providing for the use at the option of indicated local authorities of voting machines for receiving and registering the vote in one or more precincts of any county, or city and county, city or town, at any or all elections held therein, and for ascertaining the immediate result of such elections; and providing for the punishment of all violations of the provisions of this act," approved May 3, 1923, as amended, relating to the use of voting machines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 304 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Swing, Tubbs, Wagy, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1223—An act to amend section 1 of an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, relating to statements of candidates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1223 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hurley, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Swing, Wagy, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 468—An act to amend section 1714 of the Political Code, relating to school library funds in cities or cities and counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 468 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Swing, Wagy, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 320—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236l, 4236n, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 320 to Senator Jones, H. C., as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 5, line 15, of the re-engrossed bill, strike out the word "one", and insert in lieu thereof the word "four".

## AMENDMENT NUMBER TWO.

On page 9 of the re-engrossed bill, between the lines 49 and 50, insert a new paragraph as follows:

In any township or townships of the second or third class when, in the opinion of the board of supervisors, it is necessary for the proper conduct of the business of the justices of the peace of any of the township courts, the supervisors shall have the power to provide court room space and the rental thereof shall be a proper charge against the county.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 320, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, H. C., Special Committee.

Report read, and on motion of Senator Inman adopted.  
Bill ordered to print.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 130—An act to provide for the investigation of the economic problems of agriculture, and the appointment of a commission and the making of an appropriation therefor;

Also: Assembly Bill No. 809—An act regulating the weighing of agricultural products, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing the penalties for violation of the provisions hereof, defining the duty of warehouse operators, establishing the terminal weighing fund, and making an appropriation to carry out the provisions of this act;

Also: Assembly Bill No. 1272—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19 and 21 of the General Dairy Law of California, relating to milk and products of milk and containers thereof, labeling, adulterants, dairy plant sanitation, pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith, and making an appropriation for the enforcement of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—15; committee vote: Ayes—11; absent—4.

BOGGS, Chairman.

Assembly Bills Nos. 130, 809 and 1272 ordered re-referred to Committee on Finance.

## RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 15—Relative to memorializing Congress for federal aid in the construction of a breakwater in Monterey Bay at or near the city of Monterey—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

YOUNG, Chairman.  
SWING.  
FELLOW.  
McKINLEY.  
MURPHY.

Assembly Joint Resolution No. 15 ordered on file.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 1167—An act to amend section 412 of the Penal Code, relating to bandages on the hands or arms of contestants in amateur boxing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BAKER, Chairman.  
JOHNSON.  
KLINE.  
McKINLEY.  
MURPHY.  
WELLER.

Assembly Bill No. 1167 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 609—An act to amend section 3773 of the Political Code, relating to land sold for taxes, and disposition of money received;

Also: Assembly Bill No. 610—An act to amend section 3816 of the Political Code, relating to the distribution of redemption moneys; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

(Signed out)

BREED, Vice Chairman.  
FELLOW.  
GRAY.  
HOLLISTER.  
JONES, H. C.  
MUELLER.  
SWING.

Assembly Bills Nos. 609 and 610 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 924—An act to amend sections 1662, 1720 and 1750a of the Political Code, and repealing section 1617 of the Political Code, relating to schools—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

SLATER, Chairman.  
JONES, H. C.  
HANDY.  
CHAMBERLIN.  
TUBBS.  
PEDROTTI.  
MURPHY.  
HOLLISTER.

Assembly Bill No. 924 ordered on file for second reading.



## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 402—An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 583—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment;

Also: Assembly Bill No. 667—An act to provide a stenographer and typist for judges of the superior courts, and providing for their salaries and the payment thereof;

Also: Assembly Bill No. 1190—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

Also: Assembly Bill No. 1286—An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 402, 583, 667, 1190 and 1286 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 662—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—7; noes—3; absent—4.

JONES, H. C., Chairman.

Assembly Bill No. 662 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 212—An act requiring persons engaged in the business of cleaning, tailoring, or dyeing clothing to insure property coming into their possession against loss—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—9; noes—1; absent—4.

JONES, H. C., Chairman.

Assembly Bill No. 212 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1293—An act to amend section 231 of the Code of Civil Procedure, relating to juries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—7; noes—3; absent—4.

JONES, H. C., Chairman.

Assembly Bill No. 1293 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 14—An act to amend sections 92 and 139 of the Civil Code and to add a new section to said code, to be numbered 198, relating to the causes of divorce—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—14; committee vote: Ayes—7; noes—2; absent—5.

JONES, H. C., Chairman.

Assembly Bill No. 14 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 578—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges;

Also: Assembly Bill No. 1044—An act to amend section 714 of the Code of Civil Procedure, relating to examination of judgment debtor concerning his property in certain cases;

Also: Assembly Bill No. 1146—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bills Nos. 578, 1044 and 1146 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 907—An act declaring the policy of the State in respect to old age pensions, providing for an investigation of old age pension systems, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to Committee on Finance.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bill No. 907 ordered on file for second reading.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 861—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same;

Also: Assembly Bill No. 862—An act to validate the organization and existence of municipal improvement districts;

Also: Assembly Bill No. 901—An act to amend section 1 of and to add two new sections to be designated sections 2 and 3 to an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, by providing the manner by which terms, conditions, location and safety factors shall be determined;

Also: Assembly Bill No. 925—An act to amend section 103½ of the Code of Civil Procedure, relating to the appointment, duties and compensation of clerks of city justice's courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes;

Also: Assembly Bill No. 1212—An act to amend section 6 of an act entitled "An act to authorize the location of the town site of Crescent City," approved February 12, 1859, as amended or supplemented, relating to the sale, exchange or gift of unclaimed lands by the common council of Crescent City;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; Absent—5.

LYON, Chairman.

Assembly Bills Nos. 861, 862, 901, 925 and 1212 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1262—An act legalizing and validating the formation and organization of Sacramento Municipal Utility District in the county of Sacramento, State of California; declaring the same created; fixing, defining and establishing the boundaries thereof; and providing for its management and control subject to the provisions of the laws of the State of California, relative to municipal utility districts;

Also: Assembly Concurrent Resolution No. 33—Approving two certain amendments to the charter of the city of San Luis Obispo, ratified by the qualified electors of said city at a special municipal election held on the fourth day of April, 1927; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—6; absent—5.

LYON, Chairman.

Assembly Bill No. 1262 ordered on file for second reading.

Assembly Concurrent Resolution No. 33 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1285—An act to amend sections 751 and 851 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to titles of officers of cities of the fifth and sixth classes. Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—6; absent—5.

LYON, Chairman.

Assembly Bill No. 1285 ordered on file for second reading.

#### ON FINANCE.

#### SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1169—An act making an appropriation to meet a deficiency in the appropriation for subsidies, of the Bureau of Tuberculosis of the State Board of Health;

Also: Assembly Bill No. 920—An act to amend sections 514, 515, and 516 of the Political Code, relating to the Superintendent of Public Instruction;

Also: Assembly Bill No. 1292—An act authorizing the State Board of Prison Directors to transfer to the California Highway Commission from the appropriations for the support of San Quentin Prison or Folsom Prison an amount or amounts, not to exceed \$100,000, for the purpose of providing compensation for such convicts as may be in the custody of the California Highway Commission in accordance with the provisions of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith, approved June 9, 1923," as amended, and as the same may be amended from time to time;

Also: Assembly Bill No. 1224—An act appropriating money to pay the claim of Tryon and Brain against the State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Assembly Bills Nos. 1169, 920, 1292 and 1224 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 74—An act to amend section 736a of the Political Code, relating to the salaries of the justices of the district courts of appeal;

Also: Assembly Bill No. 1275—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Assembly Concurrent Resolution No. 30, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses;

Also: Assembly Bill No. 167—An act to provide for the maintenance of schools for the children of migratory laborers engaged in seasonal industries in the rural districts of the State and making an appropriation therefor, and creating a revolving fund and providing for the apportionment of school funds;

Also: Assembly Bill No. 613—An act to provide for the promotion and maintenance of classes for children with defective speech, and making an appropriation therefor;

Also: Assembly Bill No. 1056—An act making appropriation to pay the claim of Thomas B. Dozier against the State of California;

Also: Assembly Bill No. 1251—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Assembly Bills Nos. 74, 1275, 167, 613, 1056 and 1251 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 677—An act providing for the creation and management of the Tamalpais State Park, making an appropriation therefor and creating the Tamalpais State Park Commission, with power to acquire land and other property for the creation, maintenance and improvement of said park, and for additions thereto, and to maintain and manage the same, and to appoint a guardian thereof;

Also: Assembly Bill No. 76—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Assembly Bills Nos. 677 and 76 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 607—An act to add a new section to the Political Code to be numbered 4184, creating the office of public guardian—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

JONES, H. C., Chairman.

BAKER.

McKINLEY.

ALLEN, J. M.

LYON.

CHAMBERLIN.

WEST.

JOHNSON.

MUELLER.

CHRISTIAN.

INMAN.

SWING.

Assembly Bill No. 607 ordered on file for second reading.

#### ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 171—An act to amend section 5 of the Hide and Brand Law, relating to revocation of licenses—has had the same under consideration, and



respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—11; absent—4.

BOGGS, Chairman.

Assembly Bill No. 171 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 255—An act to add a new section to the Penal Code, to be numbered 536c, relating to the handling of farm products on consignment—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—10; absent—5.

BOGGS, Chairman.

Assembly Bill No. 255 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 826—An act to add a new section to an act known as the "General Dairy Law of California," approved June 15, 1923, as amended, to be numbered section 16½, relating to the licensing of dairy produce exchanges trading in butter, cheese or eggs—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

BOGGS, Chairman.

Assembly Bill No. 826 ordered on file for second reading.

SENATOR PEDROTTI IN THE CHAIR.

At two o'clock and nine minutes p.m., Senator Pedrotti of the Twenty-ninth District was called to the chair.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

The following Assembly bills were taken up and read second time, out of the regular order:

Assembly Bill No. 1167—An act to amend section 412 of the Penal Code, relating to bandages on the hands or arms of contestants in amateur boxing.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 609—An act to amend section 3773 of the Political Code, relating to land sold for taxes, and disposition of money received.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 610—An act to amend section 3816 of the Political Code, relating to the distribution of redemption moneys.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 924—An act to amend sections 1720, 1750a and 1617 of the Political Code, relating to schools.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 8, of the re-engrossed bill, strike out the word "course".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 10, of the printed bill, strike out the word "course".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 15, of the printed bill, strike out the word "course".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 22, of the printed bill, strike out the word "course".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 25, of the printed bill, strike out the word "course".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 14—An act to amend sections 92 and 139 of the Civil Code and to add a new section to said code, to be numbered 108, relating to the causes of divorce.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1293—An act to amend section 231 of the Code of Civil Procedure, relating to juries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 402—An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 583—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 667—An act to provide a stenographer and typist for judges of the superior courts, and providing for their salaries and the payment thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1190—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1286—An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 662—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, line 24, of the printed bill, strike out the word "five", and insert in lieu thereof the word "three".

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, strike out the word "five", and insert in lieu thereof the word "three".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 212—An act requiring persons engaged in the business of cleaning, tailoring, or dyeing clothing to insure property coming into their possession against loss.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 14, of the amended printed bill, strike out the following: "earthquake,".

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

On page 1, line 15, of the amended printed bill, after the period following the word "way", insert the following: "The insurance shall run in favor of and inure to the benefit of the owners of such personal property."

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 578—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

Strike out the proviso in subdivision 2, of the printed bill, that is to say, all of subdivision 2 after the semicolon on page 1, line 19.

**Amendment adopted.**

## AMENDMENT NUMBER TWO.

On page 3, line 50, of the printed bill, after the words "by the", insert "chairman of the".

**Amendment adopted.**

## AMENDMENT NUMBER THREE.

On page 3, line 52, of the printed bill, after the words "by the", insert "chairman of the".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1044—An act to amend section 714 of the Code of Civil Procedure, relating to examination of judgment debtor concerning his property in certain cases.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 18 of the printed bill, strike out the word "fifty", and insert in lieu thereof the word "seventy-five".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1146—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, as amended March 16, 1927, strike out the word "six", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, as amended March 16, 1927, strike out the word "seven", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 21, of the printed bill, as amended March 16, 1927, strike out the words "of ten cents".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill as amended March 16, 1927, after the word "mile", insert the following: "fixed by the county board of supervisors".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 907 An act declaring the policy of the State in respect to old age pensions, providing for an investigation of old age pension systems, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:



## AMENDMENT NUMBER ONE.

On page 4, line 10, of the printed amended bill, after the words "surgical assistance", remove the period, and add the words "or other remedial care."

**Amendment adopted.**

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Assembly Bill No. 862—An act to validate the organization and existence of municipal improvement districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 901—An act to amend section 1 of and to add two new sections to be designated sections 2 and 3 to an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, by providing the manner by which terms, conditions, location and safety factors shall be determined.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 925—An act to amend section 103½ of the Code of Civil Procedure, relating to the appointment, duties and compensation of clerks of city justice's courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1212—An act to amend section 6 of an act entitled "An act to authorize the location of the town site of Crescent City," approved February 12, 1859, as amended or supplemented, relating to the sale, exchange or gift of unclaimed lands by the common council of Crescent City.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1262—An act legalizing and validating the formation and organization of Sacramento Municipal Utility District in the county of Sacramento, State of California; declaring the same created; fixing, defining and establishing the boundaries thereof; and providing for its management and control subject to the provisions of the laws of the State of California, relative to municipal utility districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1285—An act to amend sections 751 and 851 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to titles of officers of cities of the fifth and sixth classes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed bill, after the word "city", strike out the word "of", and insert in lieu thereof the word "or".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1169—An act making an appropriation to meet a deficiency in the appropriation for subsidies, of the Bureau of Tuberculosis of the State Board of Health.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 920—An act to amend sections 514, 515, and 516 of the Political Code, relating to the Superintendent of Public Instruction.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1292—An act authorizing the State Board of Prison Directors to transfer to the California Highway Commission from the appropriations for the support of San Quentin Prison or Folsom Prison an amount or amounts, not to exceed \$100,000, for the purpose of providing compensation for such convicts as may be in the custody of the California Highway Commission in accordance with the provisions of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith, approved June 9, 1923," as amended, and as the same may be amended from time to time.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1224—An act appropriating money to pay the claim of Tryon and Brain against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 74—An act to amend section 736a of the Political Code, relating to the salaries of the justices of the district courts of appeal.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1275—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Assembly Concurrent Resolution No. 30, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 167—An act to provide for the maintenance of schools for the children of migratory laborers engaged in seasonal industries in the rural districts of the State and making an appropriation therefor, and creating a revolving fund and providing for the apportionment of school funds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 613—An act to provide for the promotion and maintenance of classes for children with defective speech, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1156—An act to amend section 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violations of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1251—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 677—An act providing for the creation and management of the Tamalpais State Park, making an appropriation therefor and creating the Tamalpais State Park Commission, with power to acquire land and other property for the creation, maintenance and improvement of said park, and for additions thereto, and to maintain and manage the same, and to appoint a guardian thereof.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, as amended, after the word and comma "commission," insert the following: "in the manner hereinafter provided".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "hereinbefore provided for. There is hereby created a Tamalpais state park fund. Whenever there shall be deposited in the said Tamalpais state park fund any sum of money other than the appropriation made hereby the controller shall transfer from the general fund to the said Tamalpais state park fund from the appropriation made hereby an amount equal to one-half of said amount so deposited in said Tamalpais state park fund. The state treasurer is hereby authorized to receive contributions in any amount and from any source whatsoever and credit the same to the said Tamalpais state park fund. All expenditures from said Tamalpais state park fund shall be made solely for the acquisition of land suitable for the said park hereinbefore provided for. Such expenditures from said fund shall be made upon the written order of the president of said commission and audited by the state board of control, or other proper authorities, who must allow the same and direct payment thereof to be made, and the controller shall draw warrants therefor on the state treasury for the payment of the same to the said Tamalpais state park commission out of the said Tamalpais state park fund."

Amendment adopted.



## AMENDMENT NUMBER THREE.

On page 3 of the printed bill, as amended, strike out lines 41 to 52, and strike out all of page 4 of the printed bill, as amended, and insert in lieu thereof the following:

SEC. 10. In the event of the creation by law, of a department of natural resources the said department shall succeed to and is hereby invested with all the powers, purposes, responsibilities and jurisdiction of the Tamalpais state park commission and of the several officers, deputies and employees of said commission, and whenever by the provisions of any statute or law now in force or that may hereafter be enacted a duty or jurisdiction is imposed or authority conferred upon said commission or the officers, deputies or employees thereof by any statute the enforcement of which is transferred to the department, such duty, jurisdiction and authority are hereby imposed upon and transferred to the department of natural resources and the appropriate officers thereof with the same force and effect as though the title of said department of natural resources had been specifically set forth and named therein in lieu of the name of said commission, or any officer, deputy or employee thereof. Said commission and offices, the duties, powers, purposes, responsibilities and jurisdiction of which are so transferred and vested in the department of natural resources, and the positions of all officers, deputies and employees hereunder, shall be abolished and shall have no further legal existence, but the statutes and laws under which they existed and all laws prescribing their duties, powers, purposes, responsibilities and jurisdiction, together with all lawful rules and regulations established thereunder are hereby expressly continued in force.

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 76—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3, 4, and 5, inclusive, and insert in lieu thereof the following:

"736. The annual salary of the chief justice of the supreme court is the sum of twelve thousand dollars and the annual salary of each of the associate justices of the".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 607—An act to add a new section to the Political Code, to be numbered 4184, creating the office of public guardian.

## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended March 23, 1927, in lines 10, 11 and 12, strike out the words "and he must also have such compensation for his services as the court in which his accounts are settled deems just and reasonable.", and insert in lieu thereof the following: "without fees for his services,".

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 171—An act to amend section 5 of the Hide and Brand Law, relating to revocation of licenses.



## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended April 21, 1927, strike out all of line 7, and the word "county" in line 8, and insert in lieu thereof the following: "supervision of a city or county meat inspection department where regular inspection is conducted by employees who have passed a civil service meat inspector's examination."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 3, line 32, of the printed bill, after the word "cattle", insert the following: "bred and raised by him."

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 3, lines 32 and 33, of the printed bill, strike out the words "for his own consumption."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 255—An act to add a new section to the Penal Code, to be numbered 536c, relating to the handling of farm products on consignment.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, as amended, after the word "of", add the following: "funds received for".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1, line 3, of the title of the printed bill, as amended, after the word "products", add the word "sold".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, as amended, strike out the following in lines 6 and 7: "separate and distinct", and insert in lieu thereof the word "special".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, as amended, after the word "to", strike out the following: "indicate its source or origin", and insert in lieu thereof the words: "identify it as a growers' trust fund";

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 1, line 20, of the printed bill, as amended, strike out the word "or", and insert in lieu thereof the word "and", and after the word "products", in said line 20, strike out the period, and insert in lieu thereof a comma and add the following words: "milk and milk products, hay, field grains and dried beans."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 826—An act to add a new section to an act known as the "General Dairy Law of California," approved June 15, 1923, as amended, to be numbered section 16 $\frac{1}{2}$ , relating to the licensing of dairy produce exchanges trading in butter, cheese or eggs.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, as amended April 7, 1927, strike out all of lines 35 to 40, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 177—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read second time, and ordered on file for third reading.

LIEUTENANT GOVERNOR IN THE CHAIR.

At two o'clock and twenty minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 958—An act to provide for an actuarial investigation of the public school teachers' retirement salary fund and providing for an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 958 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Crowley, Evans, Garrison, Gray, Handy, Hurley, Johnson, Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, and Weller—23.

NOES—None.

TITLE AMENDED

Senator Johnson moved to amend the title to Assembly Bill No. 958 as follows:

AMENDMENT NUMBER ONE.

In lines 2 and 3 of the title of the printed bill, strike out the words "and providing for an appropriation therefor."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 261—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 261 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, and Weller—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 560—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 560 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1279—An act increasing the number of judges of the superior court of the State of California, in and for the county of San Bernardino, and providing for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1279 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 557—An act to amend section 4263 of the Political Code, relating to the salaries, fees, and expenses of the county officers of counties of the thirty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 557 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1208—An act to amend section 633a of the Political Code, relating to licensing of insurance brokers.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hurley moved to refer Assembly Bill No. 1208 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the word "insurer", insert the following: "; excepting all insurance pertaining to loss, damage or liability incident to and/or incurred by or through the ownership, maintenance, operation and use of any vehicle required by law to be registered with the state authorities as a condition precedent to its operation on the state highway."

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out the period after the word "section", and insert in lieu thereof the following: "; *provided, however,* that for the purposes of this act, all insurance pertaining to loss, damage or liability incident to and/or incurred by or through the ownership, maintenance, operation and use of any vehicle required by law to be registered with the state authorities as a condition precedent to its operation on the state highway, is expressly excepted from class 8 of section 594 of the Political Code, hereinabove referred to."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1208, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Special Committee.

Report read, and on motion of Senator Hurley adopted.

Bill ordered to print.

RECESS.

At two o'clock and forty minutes p.m., on motion of Senator Inman, the President declared the Senate at recess until the hour of two o'clock and forty-five minutes p.m.

RECONVENED.

At two o'clock and forty-five minutes p.m., the Senate reconvened. Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 712—An act to amend section 3787 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 712 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 633—An act to amend section 452a of the Civil Code, relating to the incorporation of mutual benefit associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 633 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 463—An act to amend section 8 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended, and to add a new section to be numbered section 8a conferring upon the State Department of Finance authority to invest and reinvest the moneys in the public school teachers' permanent fund and defining the powers and duties of said department in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 463 passed by the following vote:

AYES—Senators Allen, J. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 631—An act to amend section 409 of the Political Code, relating to fees to be collected by the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 631 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 761—An act appropriating money to pay the claim of W. A. Sloane against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 761 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones, Ray, gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 560 was passed.

Assembly Bill No. 1249—An act to amend section 4274 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1249 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 300—An act to amend section 361 of the Code of Civil Procedure, relating to limitation of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 300 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Swing, Tubbs, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 26.

A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California, relating to the giving or lending of public credit.

The Legislature of the State of California, at its regular session commencing on the fifth day of January, 1927, two-thirds of the members elected to each of the two houses of the Legislature voting in favor thereof, hereby proposes an amendment to section 31 of article IV of the constitution of the State of California to read as follows:

Sec. 31. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof, in any manner whatever, for the payment of the liabilities of any individual, association, munic-

ipal or other corporation whatever: nor shall it have power to make any gift or authorize the making of any gift, of any public money or thing of value to any individual, municipal or other corporation whatever; *provided*, that nothing in this section shall prevent the Legislature granting aid pursuant to section 22 of this article; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever; *provided, however*, that the provisions hereof shall not apply to, or preclude, the State, or any political subdivision thereof, or any municipality, or other public corporation, from acquiring or holding shares of the capital stock of any mutual water corporation, when such stock is so acquired or held for the purpose of furnishing a supply of water for public or municipal purposes or for the use of the inhabitants of any such political subdivision, municipality, or public corporation, and the State, and any political subdivision thereof, and any municipality, and any other public corporation are hereby severally authorized to acquire and hold such stock, and said holding of such stock shall entitle such holder thereof to all the rights, powers and privileges, and subject such holder to all the obligations and liabilities as are given or are imposed by law to or upon other holders of stock in the mutual water corporation in which such stock is so held; *and provided, further*, that irrigation districts for the purpose of acquiring control of any entire international water system necessary for its uses and purposes, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in the foreign country; *provided, further*, that irrigation districts for the purpose of acquiring water and water rights and other property necessary for their use and purposes, may acquire and hold the stock of corporations, domestic or foreign, owning waters, water rights, canals, waterworks, franchises or concessions subject to the same obligations and liabilities as are imposed by law upon all other stockholders in such corporation; and

*Provided, further*, that nothing contained in this constitution shall prohibit the use of State money or credit, in aiding veterans who served in the military or naval service of the United States during time of war, in the acquisition of, or payments for, farms or homes, or in projects of land settlement or in the development of such farms or homes or land settlement projects for the benefit of such veterans.

The California Veterans' Welfare Bond Act of 1921 (Statutes of 1921, chapter DLXXVII), as enacted at the forty fourth session of the Legislature of the State of California, authorizing the issuance and sale of State bonds in the sum of \$10,000,000 for the purpose of creating a fund to carry out the provisions of the California Veterans' Welfare Act, providing land settlement for veterans (Statutes of 1921, chapter DLXXX), and the provisions of the "Veterans' Farm and Home Purchase Act," providing farm and home aid for veterans (Statutes of 1921, chapter DXIX) is hereby approved, adopted, legalized, validated and made fully and completely effective irrespective of the vote that may be cast upon the proposition of approving or disapproving such Veterans' Welfare Bond Act of 1921 at the general election of November 7, 1922. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action.

*And provided, still further*, that notwithstanding the restrictions contained in this constitution, the treasurer of any city, county, or city and county shall have power and it shall be his duty to make such temporary transfers from the funds in his custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any city, county, city and county, district, or other political subdivision whose funds are in his custody and are paid out solely through his office. Such temporary transfer of funds to any political subdivision shall be made only upon resolution adopted by the governing body of the city, county, or city and county directing the treasurer of such city, county, or city and county to make such temporary transfer. Such temporary transfer of funds to any political subdivision shall not exceed eighty five per cent of the taxes accruing to such political subdivision, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the taxes accruing to such political subdivision before any other obligation of such political subdivision is met from such taxes.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 26 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Ingram, Inman, Johnson,

Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Tubbs, Wagby, Weller, and West—29.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 26 ordered transmitted to the Assembly.

Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1242 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagby, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1079—An act to repeal section 2300 of the Political Code, relating to the State Library fund, disposing of the balance in said fund.

Bill read third time.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of the bill, be adopted?

The roll was called, and the urgency features of the bill adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, West, and Young—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1079 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 269—An act appropriating money to pay the claim of W. H. Stitt against the State of California.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 269 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 1166—An act to amend section 37 of an act entitled "An act to be known as the 'Pacific Colony Act' to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons; to provide for the government and maintenance thereof; and for the study of mental deficiency and related problems; to provide for admission and commitment to such institution, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act; to provide for the sterilization of inmates of such institutions; to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates; or concealing inmates thereof; to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917, as amended, relating to disposition of funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GRAY, Chairman.  
PEDROTTI.  
MALONEY.  
RUSH.  
CROWLEY.  
ALLEN, N. M.  
INMAN.

Assembly Bill No. 1166 ordered on file for second reading.

##### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1080—An act to amend sections 1, 3, 4, 6, 7, 8 and 9 of an act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925, and to add thereto a new section to be numbered 13, relating to licenses for the operation of motor vehicles for transportation for hire or compensation, reports on such operations, the assessment of such operations, certain exemptions and the procedure relating to refunds of taxes or the cancellation of any assessment levied under the provisions of said act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

KLINE, Chairman.

Assembly Bill No. 1080 ordered on file for second reading.

##### ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1284—An act to amend sections 1, 5, 6 and 7 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such

convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, and to add a new section thereto to be numbered seven and one-half, relating to the use of convicts on State highways and roads, creating a "Convict's Benefit Fund" and providing for payments in and out of the same, providing that convicts so used shall not be restored to civil rights or subject to the provisions of the Workmen's Compensation, Insurance and Safety Act of 1917, or entitled to any benefits thereunder—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Finance.

(Signed out)

SHARKEY, Chairman.  
ALLEN, J. M.  
BAKER.  
BOGGS.  
BREED.  
FELLOM.  
HANDY.  
INGRAM.  
JONES, RAY.  
McKINLEY.  
WAGY.

Assembly Bill No. 1284 ordered re-referred to Committee on Finance.

#### ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1289—An act to amend section 9 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to powers and duties of Veterans' Welfare Board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

MUELLER, Chairman.  
CHRISTIAN.  
GARRISON.  
McKINLEY.  
WELLER.

Assembly Bill No. 1289 ordered on file for second reading.

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1288—An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general coordinated plan—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Assembly Bill No. 1288 ordered on file for second reading.

#### ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 775—An act to amend sections 30 and 77 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to the chief of the Division of Motor Vehicles and registration fees—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—9; absent—6.

KLINE, Chairman.

Senate Bill No. 775 ordered on file for second reading.

## MOTION TO WITHDRAW ASSEMBLY BILL.

Senator Mueller moved\* to withdraw Assembly Bill No. 1221 from Committee on Judiciary and place on file.

The Secretary was directed to call the roll on the motion to withdraw Assembly Bill No. 1221 from Committee on Judiciary and place on file.

The roll was called, and the motion to withdraw Assembly Bill No. 1221 from committee carried by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Christian, Cobb, Crowley, Gray, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Kline, Maloney, Mueller, Murphy, Slater, Swing, Tubbs, West, and Young—22.

NOES—Senators Allen, N. M., Breed, Chamberlin, Evans, Johnson, Lyon, McKinley, Pedrotti, and Weller—9.

Assembly Bill No. 1221 ordered withdrawn from committee and placed on file.

Assembly Bill No. 235—An act to amend section 1121 of the Political Code, relating to registration of electors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 235 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 629—An act to amend sections 1, 3, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 629 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 961—An act to provide for the assessment, levy and collection of taxes for the support of the State government for the seventy-ninth and eightieth fiscal years.

Bill read third time.

Urgency section read.

The question being: Shall this section setting forth the urgency features of this bill be adopted?

The roll was called, and the urgency features of the bill adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Weller, and Young—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 961 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 670 —An act to amend section 79 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to definitions of terms.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 670 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Weller, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 311—An act to amend section 50 of the "Acquisition and Improvement Act of 1925," relating to definition of terms.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 311 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Tubbs, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1281—An act to add a new section to the Political Code to be numbered 4256b, relating to the compensation and expenses of county surveyors, their deputies, assistants and employees, in counties of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1281 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### ASSEMBLY CONSTITUTIONAL AMENDMENT No. 27.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section thereto to be known as and numbered section 3 of article XIV thereof, relating to water rights.

*Resolved by the Assembly, the Senate concurring.* That the Legislature of the State of California at its regular session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that a new section to be known as and numbered section 3, be added to article XIV of the constitution of this State and to read as follows:

First—There is hereby added to article XIV a new section, to be numbered 3, and to read as follows:

Sec. 3. It is hereby declared that because of the conditions prevailing in this State the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare. The right to water or to the use or flow of water in or from any natural stream or water course in this State is and shall be limited to such water as shall be reasonably required for the beneficial use to be served, and such right does not and shall not extend to the waste or unreasonable use or unreasonable method of use or unreasonable method of diversion of water. Riparian rights in a stream or watercourse attach to, but to no more than so much of the flow thereof as may be required or used consistently with this section, for the purposes for which such lands are, or may be made adaptable, in view of such reasonable and beneficial uses; *provided, however*, that nothing herein contained shall be construed as depriving any riparian owner of the reasonable use of water of the stream to which his land is riparian under reasonable methods of diversion and use, or of depriving any appropriator of water to which he is lawfully entitled. This section shall be self-executing, and the Legislature may also enact laws in the furtherance of the policy in this section contained.

Constitutional amendment read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the reading of the constitutional amendment, Senator Jones, H. C., moved to refer Assembly Constitutional Amendment No. 27 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed measure, as amended April 11, 1927, after line 14, add the following:

Second—There is hereby added to article XIV a new section to be numbered 4 and to read as follows:

Sec. 4. No value in excess of the actual amount hereafter paid to the state therefor shall at any time be allowed to or claimed by any public utility for any right acquired from the state to water or to the use or to flow of water.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Jones, H. C., and Boggs upon the motion to refer Assembly Constitutional Amendment No. 27 to Special Committee of One. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Fellom, Garrison, Hollister, Inman, Johnson, Jones, H. C., Maloney, and Mueller—8.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Handy, Ingram, Jones, Ray; Lyon, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—26.

Constitutional amendment read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the reading of the constitutional amendment, Senator Jones, H. C., moved to refer Assembly Constitutional Amendment No. 27 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed measure, as amended April 11, 1927, after line 14, add the following:

Second—There is hereby added to article XIV a new section to be numbered 4 and to read as follows:

Sec. 4. In the fixing of rates to be charged by public utilities, or in the regulation or authorization of the issuance by public utilities of stocks or other evidences of interest in property, or bonds, notes or other evidences of indebtedness, the railroad commission or other regulatory or governmental body having jurisdiction over such matters shall not fix, establish or allow any value to represent or cover any water or right to water or to the use or flow of water acquired under or by virtue of this section.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, H. C., Inman, and Boggs upon the motion to refer Assembly Constitutional Amendment No. 27 to Special Committee of One. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Fellom, Garrison, Hollister, Inman, Johnson, Jones, H. C., and Mueller—7.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Gray, Handy, Ingram, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—29.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 27 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

**Title read and approved.**

Assembly Constitutional Amendment No. 27 ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

The following Assembly bills were taken up and read the second time, out of the regular order:

Assembly Bill No. 775—An act to amend sections 30 and 77 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to the chief of the Division of Motor Vehicles and registration fees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title of the printed bill, as amended, strike out the following: "sections thirty and", and insert in lieu thereof the following: "section".

**Amendment adopted.**

AMENDMENT NUMBER TWO.

On page 1, lines 3 and 4, of the title of the printed bill, as amended, strike out the following: "chief of the division of motor vehicles and".

**Amendment adopted.**

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out lines 1 to 21, both inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 77 of the "California vehicle act," approved May 30, 1923, as amended, is hereby amended to read as follows:"

**Amendment adopted.**

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1288—An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general coordinated plan.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, between the word "general" and the word "coordinated", insert the word "or".

**Amendment adopted.**

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill strike out the period following the word "plan", and insert in lieu thereof the following: "; authorizing the state department of finance to release or assign such appropriations; authorizing the state depart-

ment of finance to request other departments of the state or state officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the state."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, after the word "preserve", insert a comma and the following: "as of the date of such publication,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "*provided, further*, notwithstanding anything in this act contained the state department of finance shall have power, in its discretion, to release from priority or to assign any portion of or all of any of the appropriations that may be filed under the provisions of this act when such release or assignment is for the purpose of development not in conflict with such general or coordinated plan."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 14, of the printed bill, after the semicolon following the word "thereof", insert the word "of".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 16, of the printed bill, after the semicolon following the word "thereof", insert the word "of".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 19, of the printed bill, strike out the comma following the word "thereof", and insert in lieu thereof a semicolon.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1289—An act to amend section 9 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to powers and duties of Veterans' Welfare Board.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1166—An act to amend section 37 of an act entitled "An act to be known as the 'Pacific Colony Act' to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons; to provide for the government and maintenance thereof; and for the study of mental deficiency and related problems; to provide for admission and commitment to such institution, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act; to provide for the sterilization of inmates of such institutions; to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates; or concealing inmates thereof; to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917, as amended, relating to disposition of funds.

Bill read second time, and ordered on file for third reading.



Assembly Bill No. 1080—An act to amend sections 1, 3, 4, 6, 7, 8 and 9 of an act entitled “An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith,” approved May 23, 1925, and to add thereto a new section to be numbered 13, relating to licenses for the operation of motor vehicles for transportation for hire or compensation, reports on such operations, the assessment of such operations, certain exemptions and the procedure relating to refunds of taxes or the cancellation of any assessment levied under the provisions of said act.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4, line 43, of the printed bill, as amended in the Assembly April 21, 1927, strike out the word “five”, and insert in lieu thereof the word “four”.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock and thirty minutes a.m., Wednesday, April 27, 1927.

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IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, April 27, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 26, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for this day.

Senators Nelson and Taylor were, on motion of Senator Breed, granted leaves of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator West, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Carley Van Fleet of San Francisco, California.

On request of Senator Allen, J. M., the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. E. J. Nagle of Los Angeles, California.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. M. C. Zumwalt of Tulare County.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Celia G. Cravens of Riverside, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Evelyn Flint of San Francisco, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Rt. Rev. Wm. Hall Moreland, bishop of the Episcopal Diocese of Sacramento, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. A. Van Norman, Mr. E. F. Leahey and Mr. W. B. Matthew.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Beth D. Sullivan, grand president, and Mrs. M. A. Nagle, past grand president, of the Young Ladies' Institute of California.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. Herbert L. Breed of Piedmont, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to teachers and pupils of the Fairfield Grammar School and guests: Timothy Regan, Elvin Philbrook, Walter Baker, Roy Swasey, Lawrence Alfred, Donald Athey, Clarence Monez, Clarence Hagemann, Ralph Warner, Edwin Swasey, Jack Glass, Edward Jacobson, Robert Evans, Herbert Woods, Ernest Lambretch, George Lambretch, Earl Coreoran, Vernon Duren, Howard Bickford, Evelyn Valleria, Mae Cadenasso, Louise Deporto, Gueneveri Glusen, Madeline Santealla, Edith Hungerford, Nancy Robinson, Ruth Cusick, Hazel Sheldon, Ina Klusman, Irma Jacaville, Frank Meyer, Adolph Meyer, Sterling Meyers, Jim Shattock, Howard Cusick, Lucian Bennett, Lloyd Wanner, Eugene Deak, Alan Witt, Norman Glusen, Andrea Comphel, Lewie Rodrigues, T. V. Corcoran, Annie Alonzo, Evelyn Gein, Kathleen Manuel, Irene Shattock, Esther Hoell, Margaret

Jones, Eva Patterson, Hazel Swasey, Catherine Gittings, Eleanor Gerevas, Audrey Newkirk, D. A. Weir, Mrs. Jacobsen, Mr. Philbrook, Mrs. Morrill, Mr. Hag, Mrs. Wanner, Mrs. Jacobsen, Miss Bryant, Mrs. Swortfiguer, W. C. Cusick, Mrs. Jacobson, Mr. Conquest; Bert Sheldon, county auditor Solano County, and Mrs. Sheldon, Mr. Al Conquest, Mr. L. Hagemann, Mark G. Woods, principal, and Mrs. Woods; Mrs. Fannie Mills, vice principal; Mrs. O. C. Spohn, president Parent-Teacher Association, Mrs. Jos. Gerevas and Mrs. Ruth Yatsie.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Col. Nelson M. Holderman, commandant, Yountville Home, and Capt. E. L. Hawk of Sacramento, member of board of directors of Yountville Home.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for the day was unanimously extended to officers of the California Real Estate Association: Harry B. Allen of San Francisco, president; Grover E. Oaks of Redding, vice president; Harry C. Knight of Oakland, vice president; J. Bradley Clayton of San Jose, vice president; C. A. Ricks of Martinez, vice president; Herbert L. Breed of Oakland, attorney, and Glenn D. Willaman of Los Angeles, State secretary.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mr. H. S. McCluskey, secretary to Governor Hunt of Arizona.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON CONSERVATION.

##### SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Concurrent Resolution No. 30—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

EVANS, Chairman.

Assembly Concurrent Resolution No. 30 ordered on file.

##### ON FISH AND GAME.

##### SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 803—An act to amend sections 2a, 7, 11, 14, 14a, 14d, 15, 36, 37 and 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended:

Also: Assembly Bill No. 1058—An act to regulate the sale and issuance of licenses to take Pismo clams for purposes other than for sale or profit in order to provide revenue therefrom for the preservation, protection and restoration of Pismo clams, and to provide penalties for the violation of this act;

Also: Assembly Bill No. 1244—An act to amend the title and sections 2, 3, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 23, 24, and 26 and to repeal sections 12 and 29 of an act entitled "An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a State Fish Exchange; to license those engaged in marketing fish; to create a State Fish Exchange Fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish," approved June 1, 1917, relating to license fees and the administration of the act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—8; absent—7.

CHAMBERLIN, Chairman.

Assembly Bills Nos. 803, 1058 and 1244 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 650—An act to amend section 632 of the Penal Code, relating to the protection of fish; and to repeal section 633 of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—8; absent—7.

CHAMBERLIN, Chairman.

Assembly Bill No. 650 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1163—An act to amend section 3664c of the Political Code, relating to the State Board of Equalization—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

BREED, Vice Chairman.

GRAY.

JONES, H. C.

JOHNSON.

YOUNG.

SWING.

MUELLER.

CHAMBERLIN.

Assembly Bill No. 1163 ordered on file for second reading.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 570—An act to amend section 1609 of the Political Code, relating to persons employed in public school service—reports that it has met a like committee of the Assembly, consisting of Assemblymen Little, Williamson and Jacobson, and that the Committee on Free Conference has agreed to recommend the following: That the Senate amendments be stricken out, and that the bill be amended as follows:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the amended printed bill, strike out the word "fifth", and insert in lieu thereof the word "third".

AMENDMENT NUMBER TWO.

On page 2, line 18, of the amended printed bill, following the word "year", insert a period.

AMENDMENT NUMBER THREE.

On page 2, line 19, of the amended printed bill, strike out the word "in", and insert in lieu thereof the word "In".

AMENDMENT NUMBER FOUR.

On page 2, line 20, of the amended printed bill, strike out the "s" in the word "boards".

AMENDMENT NUMBER FIVE.

On page 2, line 50, of the amended printed bill, strike out the words "as teachers", and insert in lieu thereof the words "in positions requiring certification qualifications".



## AMENDMENT NUMBER SIX.

On page 3 of the amended printed bill, strike out all of lines 7 to 13, inclusive, and insert in lieu thereof the following:

(c) To classify as permanent employees all persons, except those hereinafter specified, who shall have been successfully employed by the district for two or three complete consecutive school years in positions requiring certification qualifications. Such classification shall be made at the end of either the second or third complete year of such employment at the option of the governing board of the district. No person employed in an administrative or supervisory position requiring certification qualifications shall be classified as a permanent employee other than as a classroom teacher.

## AMENDMENT NUMBER SEVEN.

On page 4 of the amended printed bill, strike out all of lines 9, 10 and 11.

## AMENDMENT NUMBER EIGHT.

On page 4, line 22, of the amended printed bill, after the word "the", and before the word "person", insert the word "last".

## AMENDMENT NUMBER NINE.

On page 4, line 30, of the amended printed bill, strike out the period and add the following: "and fact".

## AMENDMENT NUMBER TEN.

Strike out all of the material on page 4 of the amended printed bill between lines 31 and 40, inclusive, and insert in lieu thereof the following:

Nothing in this act shall be construed so as to repeal or negate any provisions concerning employees of school districts contained in the charter of any city, county, or city and county heretofore or hereafter adopted and approved in conformity with article XI of the constitution of this state.

## AMENDMENT NUMBER ELEVEN.

On page 4, line 51, of the amended printed bill, strike out the word "appeal", and insert in lieu thereof the word "repeal".

## AMENDMENT NUMBER TWELVE.

On page 4 of the amended printed bill, the order of the last two paragraphs shall be reversed; the paragraph now appearing in lines 46 to 52, inclusive, being inserted immediately after line 40, subsequent lines being properly enumerated.

## AMENDMENT NUMBER THIRTEEN.

On page 4, following line 52, of the amended printed bill, insert a new paragraph to read as follows:

Fifth If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

JOHNSON,  
MURPHY,  
JONES,

Senate Committee on Free Conference.

LITTLE,  
WILLIAMSON,  
JACOBSON,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, and Young—29.

NOES—None.

Report of Committee on Free Conference and Assembly Bill No. 570 ordered transmitted to the Assembly.

## REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges—reports that it met a like committee of the Assembly, consisting of Assemblymen Reindollar, Noyes and Leymel, and that the Committee on Free Conference agreed upon and recommends that the Assembly concur in the Senate amendments, and that Assembly Bill No. 638 be further amended as follows:

## AMENDMENT NUMBER ONE.

On page 2, lines 12 and 13, of the printed bill, as amended April 19, 1927, strike out the following: "required by Political Code 4022", and insert in lieu thereof the following: "as required by the provisions of section 4022 of the Political Code."

YOUNG,  
WELLER,  
BOGGS,

Senate Committee on Free Conference.

REINDOLLAR,  
LEYMEL,  
NOYES,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, and Young—29.

NOES—None.

Report of Committee on Free Conference and Assembly Bill No. 638 ordered transmitted to the Assembly.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 133—An act to amend sections 2322<sup>1</sup>21, 2322<sup>1</sup>2 of the Political Code, relating to the salary and expenses of the county horticultural commissioner in counties of the twenty-first class, and second class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 638—An act to amend section 4307 of the Political Code, relating to county charges.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 1283—An act conveying certain tidelands and lands lying under inland navigable waters situate in Mission Bay (also known as False Bay) and in the bay of San Diego to the city of San Diego in furtherance of navigation, and commerce and the fisheries, and providing for the government, management and control thereof;

Also: Assembly Bill No. 1291—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1283 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 1291 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section, to be numbered 5, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of \$1,000,000 for the purpose of providing a fund to be used and disbursed for the purpose of an Olympiad to be held in California in 1932.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Constitutional Amendment No. 24 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 49—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of an additional judge and the manner of payment of his compensation;

Also: Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judge;

Also: Senate Bill No. 84—An act appropriating money to pay the claim of the cashier of the Board of State Harbor Commissioners of San Francisco against the State of California;

Also: Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor;

Also: Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries;

Also: Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State commissioner thereof;

Also: Senate Bill No. 260—An act to add a new section to the Civil Code, to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance;



Also: Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund;

Also: Senate Bill No. 319—An act to add a new section to article II of chapter III of title I of part III of the Political Code to be numbered 362*g*, relating to the establishment of a division of school planning in the State Department of Education and making an appropriation therefor;

Also: Senate Bill No. 368—An act to amend section 1288 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury;

Also: Senate Bill No. 371—An act to add a new section to the Penal Code, to be numbered 1275, relating to bail bonds;

Also: Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026*a*, relating to release of defendant committed to State Institution for Insane, in criminal case;

Also: Senate Bill No. 407—An act to amend section 668 of the Penal Code, relating to added punishment of criminals because of prior convictions outside of this State;

Also: Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases;

Also: Senate Bill No. 429—An act to repeal sections 635*a*, 635*b*, 635*c*, 635*d*, 635*e*, 635*f*, 635*g*, 635*h*, 635*i*, 635*j*, 635*k* and 635*l* of the Political Code;

Also: Senate Bill No. 459—An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State;

Also: Senate Bill No. 488—An act to repeal section 321 of the Civil Code of the State of California, relating to books of banks which shall be open to inspection;

Also: Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings;

Also: Senate Bill No. 508—An act appropriating money to pay the claim of Percy E. Towne and Peter A. Breen against the State of California;

Also: Senate Bill No. 567—An act to amend section 1859 of the Political Code, relating to the length of the school term;

Also: Senate Bill No. 569—An act to provide for the separation of crossings of highways and steam and electric railways in the State of California providing that certain funds shall be devoted to said purposes to be expended by the California Highway Commission subject to certain orders of the State Railroad Commission;

Also: Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the district courts of appeal;

Also: Senate Bill No. 621—An act making an appropriation to pay the claim of Edward J. Kelly against the State of California;

Also: Senate Bill No. 637—An act declaring that certain lands situate in the city of Oakland, county of Alameda, State of California, are not tidelands and releasing any claim that the State of California may have in and to said lands;

Also: Senate Bill No. 619—An act making an appropriation to pay the claim of Richard Kittrelle against the State of California;

Also: Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations;

Also: Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale;

Also: Senate Bill No. 692—An act to amend section 2220 of the Civil Code, relating to the purposes for which trusts may be created;

Also: Senate Bill No. 694—An act to repeal sections 847 and 857 of the Civil Code, relating to trusts on real property;

Also: Senate Bill No. 840—An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America;

Also: Senate Bill No. 869—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in



the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner;

Also: Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act;

Also: Senate Bill No. 876—An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease;

Also: Senate Bill No. 886—An act to amend section 3804 of the Political Code, relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bills No. 49, 58, 84, 152, 188, 239, 260, 312, 319, 368, 371, 386, 407, 416, 429, 459, 488, 503, 508, 567, 569, 571, 621, 637, 649, 666, 689, 692, 694, 840, 869, 875, 876 and 886 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 177—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax;

Also: Senate Bill No. 489—An act to add a new section to the Civil Code, to be numbered section 3265f, relating to actions for paying checks after payment has been stopped;

Also: Senate Bill No. 864—An act to amend section 2620 of the Political Code, relating to the width of highways.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 177, 489 and 864 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 184—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Senate Bill No. 696—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare;

Also: Senate Bill No. 695—An act to amend sections 1 and 8 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 184, 696, 570 and 695 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 847—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista, and making same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 847 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivery for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, vesting in the Director of Agriculture the enforcement of the provisions hereof and the promulgation and enforcement of rules and regulations hereunder, providing penalties and making an appropriation therefor, and declaring this act to be an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 807 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 487—An act to add a new section to the Civil Code, to be numbered section 3321, relating to the measure of damages by the payment of a check which has been ordered stopped.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 487 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 642—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 20, 31, 53, 56a, 65, 80, 83 and 105, and by adding new sections thereto to be numbered sections 31c and 31d, all relating to the definition and regulation of the business of banking.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 642 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 659—An act providing for the exchange of certain lands of the State, situate in a national park, and for the management and control of the lands acquired in exchange.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 659 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article I thereof, a new section to be numbered 14½, relating to the taking of parcels of land by eminent domain where such border upon public improvements.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Constitutional Amendment No. 16 ordered to enrollment.

Also:

\* ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 89—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof within, municipal corporations;

Also: Senate Bill No. 106—An act to amend section 627b of the Penal Code, relating to the shipment of fish and game;

Also: Senate Bill No. 185—An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of delinquent, psychopathic and maladjusted children, and providing for the payment of the expenses of the commission;

Also: Senate Bill No. 194—An act to amend section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations;

Also: Senate Bill No. 200—An act to amend sections 1, 3 and 8 and add a new section to be known as 3a of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, as amended;

Also: Senate Bill No. 229—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Senate Bill No. 230—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration and burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 89, 106, 185, 194, 200, 229 and 230 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 232—An act to amend section 294 of the Penal Code, relating to custody of dead bodies;

Also: Senate Bill No. 264—An act to amend section 4232a of the Political Code, relating to the compensation of jurors in counties of the third class;

Also: Senate Bill No. 267—An act to amend section 3052 of the Civil Code providing for the sale of property by a lien holder, notice of sale and disposition of the proceeds;

Also: Senate Bill No. 276—An act to add a new section to the Political Code, to be numbered section 4056c relating to the power of boards of supervisors to establish and maintain public airports within their respective counties;

Also: Senate Bill No. 280—An act to amend section 4300f of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts;

Also: Senate Bill No. 358—An act to amend the California Irrigation District Act, approved March 31, 1897, by adding a new section to be numbered 41c, relating to payment of assessments in two installments, and repealing an act inconsistent herewith;

Also: Senate Bill No. 379—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases;



Also: Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1026, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 232, 264, 267, 276, 280, 358, 379 and 387 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 448—An act to amend the title and section 1 of an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Senate Bill No. 449—An act to amend sections 4039 and 4076 of the Political Code, relating to claims against the county and records thereof;

Also: Senate Bill No. 463—An act to amend section 626g of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 465—An act to amend section 626k of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 470—An act to amend section 1734c of the Political Code, relating to schools;

Also: Senate Bill No. 484—An act to amend section 563a of the Penal Code, relating to false entries;

Also: Senate Bill No. 485—An act to add a new section to the Civil Code of the State of California, to be numbered 2290, relating to rights of banks purchasing other banking institutions.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 448, 449, 463, 465, 470, 484 and 485 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 486—An act to add a new section to the Civil Code, to be numbered section 3265g, relating to the stopping of payment of checks;

Also: Senate Bill No. 536—An act to amend section 1543a of the Political Code, relating to the payment of interest on unpaid orders or demands against any school district;

Also: Senate Bill No. 553—An act to reserve from sale certain State lands, being the northeast quarter of the southwest quarter of section 32, township 8 north, range 4 west, and the west 54.24 acres of lot 2 of northwest quarter of section 5, township 5 north, range 12 east, San Bernardino base and meridian, in San Bernardino County, and providing for the use thereof;

Also: Senate Bill No. 592—An act to amend section 494 of the Civil Code of the State of California, relating to the sale of property and franchises of railroad corporations;

Also: Senate Bill No. 606—An act to permit the Fish and Game Commission to control predatory fish and animals;

Also: Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 486, 536, 553, 592, 606 and 612 ordered to enrollment.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 639—An act to amend sections 290b, 290c, 290d, 290e and 290f of the Civil Code, relating to corporations:

Also: Senate Bill No. 815—An act to amend section 1 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,' approved June 12, 1913, as amended; and add a new section to be numbered 7½, relating to the conduct of training schools for nurses;

Also: Senate Bill No. 841—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the willful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Senate Bill No. 845—An act providing for the use of the labor of inmates of any State prison or the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 690, 815, 841 and 845 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 849—An act to amend an act entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto to be numbered section 26 to provide for the dissolution of such levee districts;

Also: Senate Bill No. 851—An act to validate the organization and existence of county water districts;

Also: Senate Bill No. 868—An act to amend section 309½ of the Civil Code, relating to the authorization of the distribution of the capital stock or capital assets of a corporation among its stockholders, or any of them, and the procedure therefor;

Also: Senate Bill No. 877—An act to amend section 307 of the Civil Code, relating to corporations.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 849, 851, 868 and 877 ordered to enrollment.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1291—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the

method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

JONES, H. C., Chairman.

Assembly Bill No. 1291 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 148—An act to amend section 4275 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the forty-sixth class:

Also: Assembly Bill No. 149—An act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof:

Also: Assembly Bill No. 1129—An act to amend section 10 of an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau Fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913, relating to the disposition of funds:

Also: Assembly Bill No. 1201—An act to amend section 6260 of the Penal Code, relating to the shooting of water fowl.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 85—An act to amend section 369b of the Penal Code, relating to the transportation of live stock on railroads—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 860—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 19, 1915," approved May 28, 1917, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 844—An act to add a

new section to the Political Code to be numbered section 2643, relating to powers and duties of supervisors respecting roads—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 833—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3064 and 3065 of the Political Code and all other acts or portions of acts in conflict with this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 774—An act to amend the title and section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to compete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 763—An act to amend section 45366 of the Civil Code, and to add a new section thereto, to be numbered 45366½, relating to mortgage insurance—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10 and 11 of an act entitled "An act to provide for the formation, management, and dissolution, of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 655—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the purchase of materials and supplies and providing for cooperation of said flood control district with public and private corporations—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, approved May 28, 1917, as amended, relating to fish and game districts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 542—An act to amend sections 1 and 2 of and to add two new sections to be numbered 3 and 4 to an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the Board of Parole Commissioners—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 535—An act to amend section 628 of the Penal Code, relating to fish and game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities; providing for the letting of contracts therefor; providing for the formation of lighting maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation; providing for the levying of special assessment taxes on lands within such districts; and providing for municipalities paying any part of such expenses and making advances to the district fund—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.



Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 507—An act to amend section 2322.8 of the Penal Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to headlights—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 468—An act to amend section 2322.24 of the Political Code, relating to the office of the horticultural commissioners in counties of the twenty-fourth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 462—An act to authorize and regulate the possession, use, transportation and sale of trout or other fish, by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared, approved March 17, 1911, as amended, relating to domestically raised fish—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein"—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 383—An act to amend sections 1070, 1089, and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 336—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony, to the city of Pomona for the Pomona-La Verne-Clairemont outfall sewer for the purpose of a right of way for sewer pipes, and specifying conditions under which they shall be laid and maintained—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by Initiative Act at the election of November 3, 1914—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 324—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and the creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amending section 18<sup>b</sup> thereof, relating to inclusion of territory by municipalities and by adding thereto a new section to be numbered 18<sup>d</sup> relating to the withdrawal of territory—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 254—An act to amend sections 2145, 2153a, 2187, 2189, 2090, 2191, and 2192 of the Political Code, relating to the Department of Institutions—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 192—An act to amend sections 1 and 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent

certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 158—An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 128—An act to add a new section to be known as section 22½ to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, approved May 28, 1917, as amended, relating to boundary lines of fish and game districts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16x4 consecutively to 16x58 to and to amend sections 16 and 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 870—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 645—An act to amend sections 1, 2, 3, 4, 8 and 9 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to the method of recordation of maps, providing additional conditions on which maps may be recorded, and providing civil and criminal liabilities for the violation thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443, and 1760 of the Political Code, relating to education, and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plats for penalties for non-conformance thereto, that building permits shall conform to official master plans for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State Park Bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds



and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 413—An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 366—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail bonds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 315—An act to amend sections 1, 6, 7, 8, and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 302—An act to amend the title and sections 1, 2, 3, 4, 8, 9, 10 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to

pay the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements, and to provide for the continuance of proceedings and actions for improvements under said act commenced prior to and pending at the time of the taking effect of this act and for the validation of such proceedings—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district or districts benefited of the cost or a portion of the cost of the separation of the crossing of a railroad or street railroad by a street, highway or public way and for the letting of contracts for the said work and for the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited, lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality; and providing for the payment of a portion of the expenses for such improvement by counties or municipalities at their election—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to the lease of tidelands, submerged lands and lands adjacent thereto—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, providing for a commission therefor and defining the powers and duties of such commission in respect thereto, and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 126—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the cost, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to street improvements—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 349—An act to add a new chapter to be numbered chapter IIa, embracing section 2980 to division III, part IV, title XIV, of the Civil Code, relating to conditional sales—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to age of majority—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of an assistant and deputies in such office, fixing the salaries of such assistant and of the chief deputy and providing for the manner of fixing of the salaries of the additional deputies—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, fixing the salaries of the clerks and providing the manner of fixing the salaries of the phonographic reporter, the stenographers and the service agent—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 523—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 46—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of an additional judge and the manner of payment of his compensation—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 311—An act to add a new section to be numbered 50½ to the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to the status of territory, for the purpose of this act when the validity of the annexation of such territory to a municipality or city has been questioned, and to the doing of improvement work in or on, or the acquisition of, public ways in such territory;

Also: Assembly Bill No. 468—An act to amend section 1714 of the Political Code, relating to school library funds in cities or cities and counties;

Also: Assembly Bill No. 417—An act to amend section 4254 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-fifth class;

Also: Assembly Bill No. 584—An act to amend section 4282 of the Political Code, relating to salaries of officers in counties of the fifty-third class;

Also: Assembly Bill No. 629—An act to amend sections 1, 3, 14 and 15 of an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen



years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established and providing for penalties for violation of the provisions of this act," approved May 27, 1919, relating to schools;

Also: Assembly Bill No. 630—An act to amend section 10 of the Political Code, relating to holidays;

Also: Assembly Bill No. 889—An act to amend sections 8, 10 and 18 $\frac{1}{2}$  of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended;

Also: Assembly Bill No. 716—An act to amend section 4241 of the Political Code, relating to salaries of officers and employees of counties of the twelfth class;

Also: Assembly Bill No. 679—An act to add a new section to be numbered 79m to an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to the status of territory, for the purposes of this act, when the validity of the annexation of such territory to a municipality or city has been questioned, and to the doing of any work or the making of any improvement in, on, along or under any street or place in such territory, under the provisions of said act;

Also: Assembly Bill No. 1091—An act to amend sections 23, 24, 25, 27, 61, 62 and 76 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article 1 of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to foreclosure of liens;

Also: Assembly Bill No. 1242—An act creating the Colorado River Commission of California, prescribing its powers, fixing compensation and appropriating funds for its use;

Also: Assembly Bill No. 261—An act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

Also: Assembly Bill No. 764—An act to amend section 4258 of the Political Code, relating to the salaries of county officers in counties of the twenty-ninth class;

Also: Assembly Bill No. 889—An act to amend sections 1, 8, 10 and 18 $\frac{1}{2}$  of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended, relating to insurance against loss or damage by fire, lightning, wind storm, tornadoes and earthquakes;

Also: Assembly Bill No. 1029—An act to amend section 670 of the Code of Civil Procedure, relating to judgment roll;

Also: Assembly Bill No. 533—An act to amend sections 1598 and 1599 of the Code of Civil Procedure, relating to the conveyance of property of decedents by executors or administrators, and the filing of petitions therefor, and the giving of notice thereof;

Also: Assembly Bill No. 378—An act to add a new section to the Code of Civil Procedure to be numbered 379c, relating to the joinder of parties defendant;

Also: Assembly Bill No. 1945—An act to amend the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, by repealing section 25 thereof, relating to principal and contracting employers;

Also: Assembly Bill No. 757—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class;

Also: Assembly Bill No. 260—An act to amend section 1608 of the Political Code, relating to the sale of the personal property belonging to school districts;

Also: Assembly Bill No. 414—An act to amend sections 1 and 2 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, so as to prohibit the exaction of cash bonds unless employees are entrusted with goods, money or property under certain restrictions, or unless said cash put up as a bond is deposited in a savings account in a bank under certain restrictions, and providing penalties for violation of the act;

Also: Assembly Bill No. 998—An act to amend 626f of the Penal Code, relating to the protection of game;

Also: Assembly Bill No. 519—An act to amend section 172a of the Civil Code, relating to the management of community real property;

Also: Assembly Bill No. 244—An act to add a new section to be numbered 626*da* to the Penal Code, providing for the taking of rabbits in fish and game district four and three-quarters in any number and at any time of the year;

Also: Assembly Bill No. 377—An act to amend section 378 of the Code of Civil Procedure;

Also: Assembly Bill No. 267—An act to amend section 103½ of the Code of Civil Procedure of the State of California, relating to clerks of justices' courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same;

Also: Assembly Bill No. 1247—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to the apportionments of cost of grade separations;

Also: Assembly Bill No. 412—An act to amend sections 19, 79 and 79*a*, of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and to add new sections to said act, which said new sections shall be designated sections 79*b*, 79*c*, 79*d*, 79*e*, 79*f*, 79*g*, 79*h*, 79*i*, 79*j*, 79*k*, and 79*l*, relating to bonds of contractors and definition of terms used in said act, and to proceedings thereunder;

Also: Assembly Bill No. 401—An act to amend section 3787 of the Political Code, and relating to the effect of certain deeds to the State;

Also: Assembly Bill No. 807—An act to amend sections 1 and 10 of an act entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended;

Also: Assembly Bill No. 529—An act to amend section 1577 of the Code of Civil Procedure, relating to encumbering, leasing or selling real property of the estates of decedents or of persons under guardianship;

Also: Assembly Bill No. 1232—An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose;

Also: Assembly Bill No. 1120—An act to amend sections 1517, 1518, 1519, 1519*a*, 1520, and 1521 of the Political Code, relating to State educational offices, and to add a new section to the Political Code to be numbered 1522;

Also: Assembly Bill No. 958—An act to provide for an actuarial investigation of the public school teachers' retirement salary fund;

Also: Assembly Bill No. 27—An act to amend section 634 of the Penal Code, relative to the protection of fish and game;

Also: Assembly Bill No. 829—An act to amend sections 5, 10, 26, 31, 36, 45, 48, 49, and 60 of the "State Housing Act" approved June 15, 1923, as amended, relating to garages, air intakes, sinks, exits, ceiling heights, gas heaters and ventilation;

Also: Assembly Bill No. 305—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19 and 21 of the General Dairy Law of California, relating to milk and products of milk and containers thereof, labeling, adulterants, dairy plant sanitation, pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith, and making an appropriation for the enforcement of this act;

Also: Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section thereto to be known as and numbered section 3 of article XIV thereof, relating to water rights;

Also: Assembly Bill No. 141—An act to amend section 4257 of the Political Code, relating to the compensation of officers in counties of the twenty-eighth class.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 349—An act to add a new chapter, to be numbered chapter IIa, embracing section 2980 to division III, part I, title XIV of the Civil Code, relating to conditional sales.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED FORTY-NINE.

## AMENDMENT NUMBER ONE.

In line 3 of the title of the amended printed bill, after the word "part", strike out the word "one", and insert in lieu thereof the word "four".

## AMENDMENT NUMBER TWO.

On page 1, line 2, of the amended printed bill, after the word "part", strike out the letter "I", and insert in lieu thereof the letters "IV".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 349?

The roll was called, and Assembly amendments to Senate Bill No. 349 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
NOES—None.

Senate Bill No. 349 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 85—An act to amend section 369b of the Penal Code, relating to the transportation of live stock on railroads.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-FIVE.

## AMENDMENT NUMBER ONE.

Strike out lines 5 and 13, inclusive, and insert the following: "and transporting horses, cattle, sheep or swine in earload lots shall confine the same in cars, for a period longer than twenty-eight consecutive hours without unloading the same in a humane manner, into properly equipped pens for rest, water, and feeding, for a period of at least five consecutive hours, unless prevented by storm or by other accidental or unavoidable causes which can not be anticipated or avoided by the exercise of due diligence and foresight; *provided*, that upon the written request of the owner or person in custody of that particular shipment, which written request shall be separate and apart from any printed bill of lading, or other railroad form, and time of confinement may be extended to thirty-six hours. In estimating such confinement, the time consumed in loading and unloading shall not be considered, but the time during which the animals have been confined without such rest or food or water on connecting roads shall be included, it being the intent of this act to prohibit their continuous confinement beyond the period of twenty-eight hours, except upon the contingencies hereinbefore stated; *provided*, that it shall not be required that sheep be unloaded in the night time, but where the time expires in the night time in case of sheep the same may continue in transit to a suitable place for unloading, subject to the aforesaid limitation of thirty-six hours."

## AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, as amended, after the word and semicolon "foresight;", add the following: "is guilty of a misdemeanor;"

## AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, as amended April 11, 1927, strike out the word "and", and insert in lieu thereof the word "the".

## AMENDMENT NUMBER FOUR.

On page 1, line 6 and 7, of the printed bill, strike out the words "twenty-eight", and insert in lieu thereof the words "thirty-six".



## AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, strike out all of the line beginning with and following the word "provided"; also strike out all of lines 14, 15 and 16; and in line 17 strike out the words "be extended to thirty-six hours".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 85?

The roll was called, and Assembly amendments to Senate Bill No. 85 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 85 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 860—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED SIXTY.

## AMENDMENT NUMBER ONE.

In the title of the printed bill, in the last line thereof following the word "with," and before the quotation marks, insert the words "approved May 19, 1915,".

## AMENDMENT NUMBER TWO.

On page 2, line 35, of the printed bill, following the word "herewith," and before the quotation marks, insert the words "approved May 19, 1915,".

## AMENDMENT NUMBER THREE.

On page 2, line 45, of the printed bill, following the word "west," insert the following: "section thirty-one of township four north, range seven west;".

## AMENDMENT NUMBER FOUR.

On page 2, line 51, of the printed bill, following the word "west," insert the following: "southwest quarter of section twenty-seven, the south half of sections twenty-eight and twenty-nine, and sections thirty-two, thirty-three, thirty-four, thirty-five and thirty-six all in township four north range eight west;".

## AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill, after the semicolon and before the word "southwest", insert the word "the".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 860?

The roll was called, and Assembly amendments to Senate Bill No. 860 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 860 ordered to enrollment.



## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 844—An act to add a new section to the Political Code, to be numbered section 2643, relating to powers and duties of supervisors respecting roads.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED FORTY-FOUR.

## AMENDMENT NUMBER ONE.

In line 3 of the printed bill, following the word "roads", insert a comma and the following: "other than those dedicated to the public by deed of the owner or to which title has been acquired through eminent domain proceedings,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 844?

The roll was called, and Assembly amendment to Senate Bill No. 844 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Iman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 844 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 833—An act to prevent the unauthorized use and disposition of and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED THIRTY-THREE.

## AMENDMENT NUMBER ONE.

On page 3, line 1, of the printed bill, after the word "medical" insert the words "or osteopathic".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 833?

The roll was called, and Assembly amendment to Senate Bill No. 833 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Iman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 833 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 774—An act to amend section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries

of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of districts to be assessed to pay the expenses of the maintenance and operation of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, after the word "all", insert the word "other".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 774?

The roll was called, and Assembly amendment to Senate Bill No. 774 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 774 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 703—An act to amend section 453*bb* of the Civil Code, and to add a new section thereto to be numbered 453*hh*, relating to mortgage insurance.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED THREE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, strike out the following: "four hundred fifty-three *hh*", and insert in lieu thereof "four hundred fifty-three *gg*<sup>1</sup>".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, as amended in Senate March 14, 1927, after the word "insurance", strike out the period, and add the words "in this state".

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, as amended in Senate March 14, 1927, strike out the following: "453*hh*", and insert in lieu thereof "453*gg*<sup>1</sup>".

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, as amended in Senate March 14, 1927, strike out the following: "453*hh*", and insert in lieu thereof "453*gg*<sup>1</sup>".

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed bill, as amended in Senate March 14, 1927, after the comma following the word "defined", insert "in California".

## AMENDMENT NUMBER SIX.

On page 2, line 18, of the printed bill, as amended in Senate March 14, 1927, after the word "insurance", and preceding the comma, insert the words "in California".

## AMENDMENT NUMBER SEVEN.

On page 2, line 20, of the printed bill, as amended in Senate March 14, 1927, after the word "insurance", and preceding the first comma, insert the words "in California".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 703?

The roll was called, and Assembly amendments to Senate Bill No. 703 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Iuman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 703 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 655—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the purchase of materials and supplies and providing for cooperation of said flood control district with public and private corporations.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED FIFTY-FIVE.

## AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, strike out the word "that", and insert in lieu thereof the following: "in the event said proposals are rejected or no proposals are received pursuant to advertisement therefor, or where the cost of such work does not exceed the sum of five thousand dollars, or in cases of rectification of channels, maintenance, repair, or emergency,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 655?

The roll was called, and Assembly amendment to Senate Bill No. 655 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Iuman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 655 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities; providing for the letting of contracts therefor; providing for the formation of lighting maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation; providing for the levying of special assessment taxes on lands within such districts; and providing for municipalities paying any part of such expenses and making advances to the district fund.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-TWO.

## AMENDMENT NUMBER ONE.

On page 3, line 32, of the printed bill, strike out the words "said city clerk", and insert in lieu thereof the following: "the superintendent of streets".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 522?

The roll was called, and Assembly amendment to Senate Bill No. 522 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 522 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 542—An act to amend an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State and for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors, whether in county jails or in city prisons, by amending said act so as to provide that in cities where a municipal court has been established, the board of parole commissioners for such municipal court shall consist of the presiding judge of said court, the chief of police and the prosecuting attorney of such city.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FORTY-TWO.

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 18 to 20, both inclusive, and insert in lieu thereof the following: "and the probation officer of each said county, is hereby created for".

## AMENDMENT NUMBER TWO.

On page 2, line 36, of the printed bill, after the word and period "jail," add the following: "Full power to make, establish and enforce such rules and regulations, and to retake and imprison any prisoner so upon parole, is hereby conferred upon each such board of parole commissioners; and its written order shall be a sufficient warrant for all officers named in such order to authorize them, or any of them, to return to actual custody any conditionally released or paroled prisoner. It shall be and is hereby made the duty of all chiefs of police, marshals of cities and villages, sheriffs of counties, constables, and all other police and peace officers of this state to execute any such order in like manner as ordinary criminal process. If any prisoner so paroled shall leave the county in which he was or is or hereafter may be so imprisoned without permission from the board of parole commissioners granting his parole, he shall be arrested as an escaped prisoner and held as such."

## AMENDMENT NUMBER THREE.

On page 1, line 1, of the title of the printed bill, as amended April 15, 1927, after the word "amend", add the following: "sections one and two of and to add two new sections to be numbered three and four to".

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended April 15, 1927, strike out lines 6 to 14 of the title, and insert in lieu thereof the following: "25, 1909, as amended, relating to the board of parole commissioners".

## AMENDMENT NUMBER FIVE.

On page 1, line 1, of the printed bill, as amended April 15, 1927, after the word and figure "Section 1.", strike out the word "An", and insert in lieu thereof the following: "Section 1 of an".



## AMENDMENT NUMBER SIX.

On page 1 of the printed bill, as amended April 15, 1927, strike out lines 6 to 13, both inclusive, and insert in lieu thereof the following: "25, 1909, as amended, is hereby amended to read as follows: "Section 1."

## AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, as amended April 15, 1927, between lines 20 and 21, add the following:

Sec. 2. Section 2 of said act is hereby amended to read as follows:

## AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, as amended April 15, 1927, between lines 46 and 47, add the following:

Sec. 3. A new section to be numbered section 3 is hereby added to said act to read as follows:

## AMENDMENT NUMBER NINE.

On page 4 of the printed bill, as amended April 15, 1927, before line 1, add the following:

Sec. 4. A new section to be numbered section 4 is hereby added to said act to read as follows:

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 542?

The roll was called, and Assembly amendments to Senate Bill No. 542 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 542 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-FOUR.

## AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, after the semicolon, insert the following: "provided, further, that in fish and game districts eleven, twelve, twelve "B" and thirteen the length of the meshes of any gill net must be either two and one-half inches or less, or five and one-half inches or more;"

## AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the semicolon, insert the following: "provided, further, that in fish and game districts eleven, twelve and thirteen no drift gill net shall be used for taking fish where any part of the net is nearer than three hundred feet to where the surface of the water joins the land;"

## AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of line 11 and that part of line 12 preceding the word "is", and insert in lieu thereof the following: "or any beach seine or roundhaul net".

## AMENDMENT NUMBER FOUR.

On page 3, line 30, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "or between the sixteenth day of May and the thirty-first day of July, both dates inclusive, to have any barracuda in possession on any purse or roundhaul net boat or to have in possession any barracuda which have been caught with a purse seine or with a roundhaul net."

## AMENDMENT NUMBER FIVE.

On page 3, line 47, of the printed bill, strike out the words "district twelve "A" ", and the comma, and insert in lieu thereof the following: "districts three, twelve "A" and".

## AMENDMENT NUMBER SIX.

On page 4, line 2, of the printed bill, strike out the words "twelve "A" " and the comma, and insert in lieu thereof the following: "three, twelve "A" and".

AMENDMENT NUMBER SEVEN.

On page 4, line 11, of the printed bill, strike out the word "sixteen", and insert in lieu thereof the words "twenty-five".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 524?

The roll was called, and Assembly amendments to Senate Bill No. 524 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 524 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 507—An act to amend section 2322.8 of the Political Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SEVEN.

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "each".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out, in lines 21 and 22, the following: "five dollars per day while employed without traveling expenses", and insert in lieu thereof the words "not less than one hundred nor more than one hundred fifty dollars per month each".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 507?

The roll was called, and Assembly amendments to Senate Bill No. 507 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 507 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to headlights.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "lens, reflector".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the words "lens, reflector".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out the words "lens, reflector".

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, strike out the comma, insert in lieu thereof a period, and strike out beginning with the word "or", in line 18, down to and including line 27; also strike out lines 1 to 8, inclusive, page 2, of the printed bill.

## AMENDMENT NUMBER FIVE.

On page 2, line 39, of the printed bill, after the word "candlepower", insert a comma and add the following: "to be certified and approved by the testing agency for use in such headlight,".

## AMENDMENT NUMBER SIX.

On page 4, line 9, of the printed bill, strike out the words "lens or".

## AMENDMENT NUMBER SEVEN.

On page 4, lines 10 and 11, of the printed bill, strike out the following: "both with and without the device".

## AMENDMENT NUMBER EIGHT.

On page 4, line 12, of the printed bill, strike out the words "in each case".

## AMENDMENT NUMBER NINE.

On page 2 of the printed bill, as amended in the Assembly April 14, 1927, in line 12, after the word "act", insert the following: "when used separately or in connection with approved headlamps or headlight control devices."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 492?

The roll was called, and Assembly amendments to Senate Bill No. 492 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 492 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED EIGHTY-TWO.

## AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "and".

## AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the words "He may, in his discretion," and insert in lieu thereof, the words "He shall".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 382?

The roll was called, and Assembly amendments to Senate Bill No. 382 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 382 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 468—An act to amend section 2322, relating to the office of the horticultural commissioners in counties of the twenty-third class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, lines 19 and 20, of the printed bill, as amended March 2, 1927, strike out the words "eight thousand four hundred", and insert in lieu thereof the following: "six thousand".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 468?

The roll was called, and Assembly amendment to Senate Bill No. 468 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 468 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 383—An act to amend sections 1070, 1089 and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED EIGHTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the words "is entitled to", strike out the word "ten", and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, after the words "the state to", strike out the word "ten", and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out the word "five" (the first word in the line), and insert in lieu thereof the word "ten".

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, following the words "the state to", strike out the word "five", and insert in lieu thereof the word "ten".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 383?

The roll was called, and Assembly amendments to Senate Bill No. 383 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 383 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 96—An act to add fifty-five new sections to be numbered 16x4 consecutively to 16x58 to an act entitled "An act to establish a standard of weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts



of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINETY-SIX.

##### AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended March 24, 1927, after the word "measures", insert the following: "in the State of California; to regulate weights and measures".

##### AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, as amended March 24, 1927, strike out the first word "the", and insert in lieu thereof the word "this".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 96?

The roll was called, and Assembly amendments to Senate Bill No. 96 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellon, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 96 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 158—An act to amend section 9 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved April 20, 1915, as amended.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FIFTY-EIGHT.

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the quotation marks before the word "An".

##### AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, strike out the word "therein".

##### AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, following the word "in", insert the word "the".

##### AMENDMENT NUMBER FOUR.

On page 2, line 41, of the printed bill, following the word "intention", insert a period.

##### AMENDMENT NUMBER FIVE.

On page 4, line 23, of the printed bill, following the word "none", insert the word "be".

##### AMENDMENT NUMBER SIX.

On page 5, line 12, of the printed bill, strike out the word "published", and insert in lieu thereof the word "published".

AMENDMENT NUMBER SEVEN.

On page 5, line 27, of the printed bill, strike out the word "following", and insert in lieu thereof the word "following".

AMENDMENT NUMBER EIGHT.

On page 5, line 45, of the printed bill, following the word "dollars", insert a comma.

AMENDMENT NUMBER NINE.

On page 7, line 27, of the printed bill, strike out the figures "11½", and insert in lieu thereof the figures "12".

AMENDMENT NUMBER TEN.

On page 8, line 11, of the printed bill, strike out the figures "12", and insert in lieu thereof the figures "13".

AMENDMENT NUMBER ELEVEN.

On page 8, line 16, of the printed bill, strike out the figures "13", and insert in lieu thereof the figures "14".

AMENDMENT NUMBER TWELVE.

On page 8, line 21, of the printed bill, strike out the figures "14", and insert in lieu thereof the figures "15".

AMENDMENT NUMBER THIRTEEN.

On page 8, line 28, of the printed bill, strike out the figures "15", and insert in lieu thereof the figures "16".

AMENDMENT NUMBER FOURTEEN.

On page 8, line 8, of the printed bill, strike out the word "of" following the word "voters", and insert in lieu thereof the word "at".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 158?

The roll was called, and Assembly amendments to Senate Bill No. 158 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 158 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 128—An act to add a new section to be known as section 22½ to an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended, relating to boundary lines of fish and game districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TWENTY-EIGHT.

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, after the quotation marks following the word "herewith," insert "approved May 19, 1915".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after the word "districts", insert the following: "and to repeal an act entitled 'An act to divide the State of California into fish and game districts'".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, after the quotation marks following the word "herewith," insert the following: "approved May 19, 1915,".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 128?



objections and shall pass upon the same, and if it finds that a portion of said district described in such petition and sought to be withdrawn will not be benefited by remaining within said district and that the territory not sought to be withdrawn will be benefited by continuing as a highway lighting district, then said board may grant said petition for withdrawal either in whole or in part and by resolution establish the boundaries of such district as re-established after such withdrawal of territory. Upon the withdrawal of any territory from a highway lighting district, as in this section provided, the remaining territory embraced in said district and not so withdrawn shall continue as a lighting district within the meaning of this act and so remain until dissolved as in this act provided. No withdrawal of territory under the provisions of this section shall become effective unless and until any outstanding contract for the furnishing of illumination shall have expired or such contract has, with the consent of the person, firm or corporation furnishing such illumination, been modified or canceled so as to relieve the district of further obligation to pay for future lighting service within the territory so withdrawn.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 324?

The roll was called, and Assembly amendments to Senate Bill No. 324 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 324 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWENTY-SIX.

##### AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, strike out the words "Certified copies of said resolution shall", and all of line 17, and insert in lieu thereof the following: "Upon presentation of a certified copy of said resolution, the county auditor shall draw his warrant in favor of the sheriff for such amount specified in said resolution."

##### AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, insert at the beginning of said line the following: "4310."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 326?

The roll was called, and Assembly amendments to Senate Bill No. 326 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 326 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 192—An act to amend section 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the



grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, between lines 46 and 47, insert the following:

SEC. 2. Section 2 of said act is hereby amended to read as follows:

AMENDMENT NUMBER TWO.

On page 3, line 19, of the printed bill, after the comma after the word "steps", insert the following: "safety zones, platforms, seats, statuary, fountains."

AMENDMENT NUMBER THREE.

On page 3, line 5, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 192?

The roll was called, and Assembly amendments to Senate Bill No. 192 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Feltom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 192 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 366—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail bonds.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED SIXTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, as amended March 29, 1927, strike out the word "sixty" and insert in lieu thereof the word "ninety".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 366?

The roll was called, and Assembly amendment to Senate Bill No. 366 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Feltom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 366 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SIXTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, as amended March 29, 1927, strike out the word "sixty", and insert in lieu thereof the word "ninety".

## AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, as amended March 29, 1927, strike out the word "sixty", and insert in lieu thereof the word "ninety".

## AMENDMENT NUMBER THREE.

Following line 23 of the printed bill, as amended March 29, 1927, add the following: "A dismissal of the indictment or information after the default of the defendant shall not release or affect the obligation of the bail bond or undertaking."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 365?

The roll was called, and Assembly amendments to Senate Bill No. 365 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 365 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED TWELVE.

## AMENDMENT NUMBER ONE.

On page 2, lines 3 and 4, of the printed bill, strike out the following:

Endorsed upon the bond shall be a description of the property, whether real or personal, securing the same.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 412?

The roll was called, and Assembly amendment to Senate Bill No. 412 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 412 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 413—An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED THIRTEEN.

## AMENDMENT NUMBER ONE.

On page 2, lines 3 and 4, of the printed bill, strike out the following: "Endorsed upon the bond shall be a description of the real and personal property securing the same."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 413?

The roll was called, and Assembly amendment to Senate Bill No. 413 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 413 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder.

##### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FOURTEEN.

###### AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, as amended, after the word "life", strike out the words "without parole".

###### AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, as amended, strike out the word "ten", and insert in lieu thereof the word "five".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 414?

The roll was called, and Assembly amendments to Senate Bill No. 414 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 414 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors.

##### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED SEVENTY-THREE.

###### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate March 7, 1927, strike out all of line 12, and the following in line 13 thereof, to wit: "second or third class, who", and insert in place thereof the following: "or who, in a county or city and county containing a population of not less than three hundred thousand as ascertained by the last preceding census taken under the authority of the congress of the United States, or the Legislature of the State of California,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 173?

The roll was called, and Assembly amendment to Senate Bill No. 173 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 173 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 857—An act to license and regulate the business of private detective and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detective and detective agencies," approved June 7, 1915.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-SEVEN.

## AMENDMENT NUMBER ONE.

On page 6, line 29, of the printed bill, as amended March 23, 1927, and March 28, 1927, strike out the following: "Penalty for violation of Statute," and insert in lieu thereof the following: "Authority for Appointment of Enforcement Officers."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 857?

The roll was called, and Assembly amendment to Senate Bill No. 857 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 857 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 315—An act to amend section 24 of an act entitled "An act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and act amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FIFTEEN.

## AMENDMENT NUMBER ONE.

On page 4, line 6, of the printed bill, after the word "larceny", add the words "subsequent to the procuring of his or her license".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 315?

The roll was called, and Assembly amendment to Senate Bill No. 315 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 315 ordered to enrollment.



## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443 and 1760 of the Political Code, relating to education, and making an appropriation therefor.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED THIRTY.

## AMENDMENT NUMBER ONE.

On page 7, line 31, of the printed bill, after the word "ten", strike out the word "days", and insert in lieu thereof the word "units".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 630?

The roll was called, and Assembly amendment to Senate Bill No. 630 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 630 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-SIX.

## AMENDMENT NUMBER ONE.

On page 3, line 13, of the amended printed bill, strike out the words "intermediate school course", and insert in lieu thereof the words "junior high school".

## AMENDMENT NUMBER TWO.

On page 3, line 16, of the amended printed bill, strike out the words "intermediate school course", and insert in lieu thereof the words "junior high school".

## AMENDMENT NUMBER THREE.

On page 3, line 17, of the amended printed bill, strike out the letter "d", following the figures "1617".

## AMENDMENT NUMBER FOUR.

On page 3, lines 19 and 20, of the amended printed bill, strike out the words "intermediate school course", and insert in lieu thereof the words "junior high school".

## AMENDMENT NUMBER FIVE.

On page 3, line 21, of the amended printed bill, strike out the words "intermediate school course", and insert in lieu thereof the words "junior high school".

## AMENDMENT NUMBER SIX.

On page 3, lines 23 and 24, of the amended printed bill, strike out the words "intermediate school course", and insert in lieu thereof the words "junior high school".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 566?

The roll was called, and Assembly amendments to Senate Bill No. 566 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 566 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district benefited of the cost or a portion of the cost of the separation of the crossing of a railroad or street railroad by a street, highway or public way and for the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality; and providing for the payment of a portion of the expenses for such improvement by counties or municipalities.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED NINETY-SIX.

## AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the word "street", and insert in lieu thereof the following: "streets".

## AMENDMENT NUMBER TWO.

On page 4, line 16, of the printed bill, following the word "desirable", strike out the period, and insert in lieu thereof a comma and the following: "*provided, however, that when such objections are against the proposed separation of grades and the legislative body finds that such objections are made by the owners of more than one-half of the area of the property to be assessed for said improvement, no further proceeding shall be taken for a period of six months from the date of the decision of the legislative body on said hearing, unless the said objections be overruled by an affirmative vote of four-fifths of the members of the legislative body.*"

## AMENDMENT NUMBER THREE.

On page 4, line 27, of the printed bill, add the letter "s" to the word "provision".

## AMENDMENT NUMBER FOUR.

On page 7, line 16, of the printed bill, strike out the words "district or".

## AMENDMENT NUMBER FIVE.

On page 11, line 14, of the printed bill, strike out the letter "s" in the word "terms".

## AMENDMENT NUMBER SIX.

On page 12, line 17, of the printed bill, beginning with the word "Upon", strike out all printed matter down to and including the word "assessment" in line 24 of said page, and insert in lieu thereof the following: "In the event of the nonpayment of any installment of the interest or principal, the holder of any bond upon which any payment either upon the principal or of the interest has not, or shall not be made when due may, at any time after six months from the date of any delinquency of principal or interest and prior to the expiration of four years after the due date of the last installment unpaid upon any bond or of the last principal coupon attached thereto, file and maintain a suit to foreclose the lien of the bond and recover the amounts due thereon.

The complaint in such suit shall be sufficient if a true copy of the bond be therein set forth and appropriate allegation be made therein regarding the payments made upon the principal and interest of such bond, and such suit shall be brought in the superior court within whose jurisdiction the city is by which the said bond has been issued and in case the owner of the lot, or parcel of land covered by said bond, can not with due diligence be found, the service of summons in such case may be had in the manner prescribed in the codes and laws of this state. The said bond, together with proof either orally by the said treasurer of the said city or by a certificate signed by him showing the nonpayment of any of the principal or interest upon said bond, shall be prima facie evidence of the right of the plaintiff to recover in said action. The court in said suit shall have the power to adjudge and decree a lien against the lot or parcel of land covered by said bond and to cause said premises to be sold as in other cases of the sale of real estate by the process of said court to satisfy and discharge such bond and lien, and the amount of interest and penalties due shall be calculated in the manner herein provided up to the date of the judgment. On appeal, the appellate courts shall have the same power to adjudge and decree a lien and order such premises to be sold as is conferred on the court

from which an appeal is taken. The court having jurisdiction of said cause shall also fix and allow a reasonable attorney's fee for the prosecution of said suit.

The plaintiff in the suit may also recover the cost of any abstract or report of search of title procured in good faith, in order to determine ownership, such search to be by a reputable abstractor or title company, and such cost not to exceed five dollars per lot, and such abstract or report of search with affidavit of payment to be filed in the action.

Such premises, if sold, may be redeemed as in other cases. Such action shall be governed and regulated by the provisions hereof, and also when not in conflict herewith, by the codes of this state.

A written notice of the pendency of any action for recovery on a bond shall be filed with the treasurer and after the filing of such notice the treasurer shall not receive any money on account of said bond in his register or give a discharge of said bond without the written consent of the owner thereof until judgment has been rendered in such action or the same has been dismissed.

Should suit be brought for recovery on any bond prior to the time provided herein, the plaintiff shall not recover in such suit and the defendant in such suit shall be entitled to have and recover such attorney fees as the court may deem reasonable, in addition to all taxable costs."

#### AMENDMENT NUMBER SEVEN.

On page 12 of the printed bill, strike out lines 21 to 43, and insert in lieu thereof the following:

It shall be the duty of the superintendent of streets or county surveyor on or before the fourth Monday of September of each year to certify to the tax collector a list of the properties upon which there is a lien for delinquent assessments, as shown by the records of the superintendent of streets or county surveyor. If the tax collector so requires, the notice herein provided for to be attached to or pasted to, printed on or stamped upon the tax bill, shall be prepared by the superintendent of streets or the county surveyor and shall be delivered to the tax collector on or before the dates herein provided for forwarding said lists, and if the tax collector so requires, the superintendent of streets or county surveyor shall upon notice attach to or paste to, print on or stamp upon the tax bills, the notice hereinafter prescribed. In any event, the tax collector shall himself or through the agency of the superintendent of streets or county surveyor, cause to be pasted or attached to, or printed or stamped upon the tax bill or tax receipt, a notice which shall in substance be as follows:

#### NOTICE OF ASSESSMENT.

There is an assessment lien unpaid on this property. Unless same is paid to the city street superintendent (or bureau of assessments where such office exists) or (county surveyor) this property will be subject to foreclosure.

#### AMENDMENT NUMBER EIGHT.

On page 14, line 1, of the printed bill, following the word "after", insert the following: "ninety days after the".

#### AMENDMENT NUMBER NINE.

On page 14, line 15, of the printed bill, following the word "city", insert "or county".

#### AMENDMENT NUMBER TEN.

On page 14 of the printed bill, strike out line 27, and insert in lieu thereof the following: "ings and acts of the superintendent of streets or county surveyor, and the legislative body of the city or county carrying on said proceeding".

#### AMENDMENT NUMBER ELEVEN.

On page 15 of the printed bill, following the word "streets" in line 12, insert the following: "or county surveyor".

#### AMENDMENT NUMBER TWELVE.

On page 17, line 50, of the printed bill, following the word "land", insert the following: "deemed by him to have been benefited by the work or improvement. The reassessment shall assess upon and against each of the lots, pieces, or parcels of land, contained therein an amount arrived at as follows:

The benefits derived, or to be derived by each of the said lots, pieces or parcels of land.

#### AMENDMENT NUMBER THIRTEEN.

On page 18 of the printed bill, strike out lines 25 and 26, and insert in lieu thereof the following: "for five insertions, if the paper be a daily, or by two insertions if the paper be published less frequently. At the time fixed for said insertion, or at".

#### AMENDMENT NUMBER FOURTEEN.

On page 21, line 35, of the printed bill, following the word "of", insert the word "any".



## AMENDMENT NUMBER FIFTEEN.

On page 21, line 36, of the printed bill, following the word "proceedings", insert the following: "taken under this act shall avoid or invalidate such proceedings".

## AMENDMENT NUMBER SIXTEEN.

On page 14, line 23, of the printed bill, strike out the word "way", and insert in lieu thereof the word "may".

## AMENDMENT NUMBER SEVENTEEN.

On page 15, line 19, of the printed bill, strike out the word "make", and insert in lieu thereof the word "mark".

## AMENDMENT NUMBER EIGHTEEN.

On page 18 of the printed bill, commencing with the word "Such" in line 23 thereof, strike out all printed matter down to and including the word "frequently.", in line 26.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 296?

The roll was called, and Assembly amendments to Senate Bill No. 296 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 296 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 302—An act to amend the title and sections 2, 3, 4, 9 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, and to add a new section thereto to be known as section 38, all relating to street improvements.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWO.

## AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, after the word "four" at the end thereof, insert the following: "eight".

## AMENDMENT NUMBER TWO.

In line 10 of the title of the printed bill, as amended, strike out the following: "and to add a new section", and insert in lieu thereof the following: "relating to street improvements, and to provide for the continuance of proceedings and actions for improvements under said act commenced prior to and pending at the time of the taking effect of this act and for the validation of such proceedings."

## AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, as amended, immediately preceding the word "percentage", insert the word "any".

## AMENDMENT NUMBER FOUR.

On page 2, line 1, of the printed bill, as amended, before the word "Section", add the following:

SEC. 2.

## AMENDMENT NUMBER FIVE.

On page 2, line 48, of the printed bill, strike out the words "by a boundary line".

## AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out lines 51 and 52, and on page 3 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the follow-



ing: "in the assessment district. Said map shall govern for all details as to the extent and description of the land to be taken for the proposed improvement and as to the extent of said assessment district. The city council".

#### AMENDMENT NUMBER SEVEN.

On page 3, line 8, of the printed bill, following the word "act", strike out the word "cr", and insert in lieu thereof the word "on".

#### AMENDMENT NUMBER EIGHT.

On page 3, line 14, of the printed bill, following the word "municipality", insert a comma.

#### AMENDMENT NUMBER NINE.

On page 3, line 14, of the printed bill, following the word "be", insert the word "so".

#### AMENDMENT NUMBER TEN.

On page 3, line 30, of the printed bill, following "nance", insert a comma.

#### AMENDMENT NUMBER ELEVEN.

On page 3, line 35, of the printed bill, following the word "improvement", insert a comma.

#### AMENDMENT NUMBER TWELVE.

On page 3, line 37, of the printed bill, following the word "all", strike out the word "particulars", and insert in lieu thereof the word "details".

#### AMENDMENT NUMBER THIRTEEN.

On page 4, line 1, of the printed bill, strike out the following: "opening and widening", and insert in lieu thereof the following: "-----".

#### AMENDMENT NUMBER FOURTEEN.

On page 4, line 10, of the printed bill, following the word "city", insert the following: ", or if the address of any property owner is not on file in the office of the city clerk,".

#### AMENDMENT NUMBER FIFTEEN.

On page 4, lines 27 and 28, of the printed bill, strike out the following: "described in said ordinance of intention,".

#### AMENDMENT NUMBER SIXTEEN.

On page 4, line 30, of the printed bill, strike out the numeral "3", and insert in lieu thereof the word "three".

#### AMENDMENT NUMBER SEVENTEEN.

On page 5 of the printed bill, strike out lines 4 to 29, both inclusive, and insert in lieu thereof the following: "and circulated. At the time set for hearing said protests, the city council shall proceed to hear and pass upon all protests so made and its decision shall be final and conclusive; *provided, however,* that when the protest is against the proposed improvement and the city council finds that such protest is made by the owners of more than one-half of the area of the property within the assessment district, no further proceedings shall be taken for a period of six months from the date of the decision of the city council on said hearing, unless the said protest be overruled by an affirmative vote of four-fifths of the members of the city council. If no protests in writing have been filed within the time hereinbefore provided for filing the same, or if any protest shall be found by the city council to be insufficient, or shall be overruled, or if a protest against the proposed assessment district shall be heard and denied, immediately thereupon the city council shall be deemed to acquire jurisdiction to order the proposed improvement. The city council may adjourn said hearings from time to time.

Sec. 6. Section 8 of said act approved March 24, 1903, as amended, is hereby amended to read as follows:

Sec. 8. When all parties defendant to the action have answered, or have been served with summons and their default entered, the plaintiff or any party defendant whose default has not been so entered, may, upon five days notice to the parties, except to the defendants in default, move the court to set the action for trial. Upon the hearing of such motion, the court shall order a trial of the action by a jury or by the court without a jury as the case may be, as to any defendants who shall demand such trial, and shall fix a time for the trial thereof; and as to all other defendants, including defendants in default, a jury trial or a trial by the court shall be deemed to be waived, and the court shall make an order appointing three disinterested persons referees, to ascertain the compensation to be paid to such defendants so waiving a trial by a jury or by the court without a jury. Such referees must be residents of the municipality where such improvement is to be made, and over the age of twenty-one years, and must take and file with the court an oath to discharge their duties faithfully and impartially. If any of such referees fails to

qualify, or resigns, or is removed by order of court, or is or becomes unable to act, the vacancy so created shall be filled by the court."

## AMENDMENT NUMBER EIGHTEEN.

On page 5, line 30, of the printed bill, strike out the figure "6" immediately following the word "Sec.", and insert in lieu thereof the figure "7".

## AMENDMENT NUMBER NINETEEN.

On page 6, line 36, of the printed bill, strike out the figure "7" immediately following the word "Sec.", and insert in lieu thereof the figure "8".

## AMENDMENT NUMBER TWENTY.

On page 6 of the printed bill, strike out all of lines 45 to 49, both inclusive, and insert in lieu thereof the following: "vided, that in any case where a motion to set the action for trial, as provided in section 8 of this act, is not made within one year after the date of the issuance of the summons therein, the right to compensation and damages shall be deemed to have accrued at the date of the hearing of the motion to set the action for trial."

## AMENDMENT NUMBER TWENTY-ONE.

On page 7 of the printed bill, strike out lines 8 to 11, both inclusive, and insert in lieu thereof the following: "taken, subsequent to the date at which the right to compensation and damages shall have accrued as hereinbefore provided, shall be".

## AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 26, of the printed bill, strike out the figure "8" immediately following the word "Sec.", and insert in lieu thereof the figure "9".

## AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 35, of the printed bill, strike out the words "appropriated to", and insert the following in lieu thereof: "placed in".

## AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 39, of the printed bill, strike out the figure "9" immediately following the word "Sec.", and insert in lieu thereof the figures "10".

## AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 48, of the printed bill, strike out the period immediately following the word "act", and insert in lieu thereof a semicolon and the following: "and all steps taken by the legislative body of any city in any such proceedings and any and all acts done and performed therein by any officer or officers of any city, or any and all acts done or steps taken by any other officer or officers in connection therewith, and such proceedings, are hereby validated, ratified, legalized and confirmed."

## AMENDMENT NUMBER TWENTY-SIX.

On page 2 of the printed bill, as amended, strike out lines 40, 41 and 42, and insert in lieu thereof the following: "shall be sufficient if it describes the land necessary or convenient to be taken for the proposed improvement, and describes briefly and in general terms the proposed improvement and the district to be bene-".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 302?

The roll was called, and Assembly amendments to Senate Bill No. 302 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 302 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED THIRTY-THREE.

## AMENDMENT NUMBER ONE.

In line 4 of the printed bill, after the word "attend.", there be inserted the words "shall be guilty of a misdemeanor punishable by fine not to exceed ten dollars,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 233?

The roll was called, and Assembly amendment to Senate Bill No. 233 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 233 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SEVENTY-EIGHT. AMENDMENT NUMBER ONE.

In line 15 of the printed bill, strike out the word "shall", and substitute therefor the word "may".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 478?

The roll was called, and Assembly amendment to Senate Bill No. 478 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 478 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 645—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to numbering parcels on map, size of map, and making and filing thereof.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FORTY-FIVE.

##### AMENDMENT NUMBER ONE.

On page 2, line 31, of the printed bill, strike out the period following the word "subdivision"; and insert in lieu thereof the words "and public highways other than alleys."

##### AMENDMENT NUMBER TWO.

On page 2 of the printed bill, between lines 48 and 49, insert a new paragraph as follows:

Fifth—The lines bounding the exterior of the whole tract or parcel of land with their courses and distances.

##### AMENDMENT NUMBER THREE.

On page 5, line 21, of the printed bill, following the word "invalid", insert the words "a contract for sale of or".

##### AMENDMENT NUMBER FOUR.

On page 7, line 22, of the printed bill, strike out the period following the word "surveys", and insert in lieu thereof a semicolon and the words: "except that nothing in this act shall be construed as prohibiting the sale of parcels of land more than five acres in area by metes and bounds description referring to a map filed in accordance

with the provisions of an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891, as amended."

AMENDMENT NUMBER FIVE.

On page 7, line 39, of the printed bill, strike out the word "voluntarily", and insert in lieu thereof the word "voluntarily".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 645?

The roll was called, and Assembly amendments to Senate Bill No. 645 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 645 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 126—An act to amend section 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to awarding of contracts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TWENTY SIX.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, following the word "amend", strike out the word "section", and insert in lieu thereof the words "section one and".

AMENDMENT NUMBER TWO.

Strike out line 15 of the title of the printed bill, and insert in lieu thereof the following: "relating to street improvements."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, following the second word "section" in said line, strike out the numeral "9" and the word "of", and insert in lieu thereof the following: "one of an act entitled".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, between lines 14 and 15, insert the following:

SECTION 1. Whenever the public interest or convenience may require, the legislative body of any city is hereby empowered to establish or change or modify the grade of any public street, avenue, lane, alley, court, place or right of way in said city, or any portion thereof, and also the grade of the roadway of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways, in, on, under, over or through any public street, avenue, lane, alley, court, place or other land of the city, or in, on, under, over or through any land in which and where the city may then have an easement or right of way therefor; and in any case when or where, in the opinion of said legislative body, any damage to private property would result from the improvement thereof, to order the whole or any part, either in length or width, of such public street, avenue, lane, alley, court, place or right of way or other land of the city, in which and where the city may then have an easement or right of way therefor, to be improved to conform to such official grade by grading or regrading, paving or repaving, planking or replanking, macadamizing or remacadamizing, piling or repiling, capping or recapping, graveling or regraveling, oiling or recoiling, sewerage or resewering, sidewalking or residewalking, curbing or recurbing, guttering or regut-



tering, or by the construction, reconstruction or repair of manholes, culverts, cess-pools, conduits, crosswalks, steps, parking or parkways, or by the construction, reconstruction or repair of poles, posts, wires, conduits, lumps and other appurtenances for the lighting thereof; or by the construction, reconstruction or repair of wells, pumps, dams, reservoirs, storage tanks, channels, tunnels, conduits, hydrants, pipes, meters or other appurtenances for supplying or distributing a domestic water supply; and also in any case where, in the opinion of said legislative body, any damage to private property would result from the construction, reconstruction or repair hereof, to order the construction, reconstruction or repair of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways, together with approaches thereto, and all appurtenances therefor, in, on, under, over or through any public street, avenue, lane, alley, court, place or other land of the city, or in, on, under, over or through any land in which and where the city has an easement or right of way therefor, to the grade established for the roadway of such tunnel, subway, viaduct, bridge or independent subterranean way, and order the construction, reconstruction or repair of stormwater ditches or tunnels, or breakwaters, levees or walls of rock, or other materials, culverts, manholes, cesspools, conduits, subways, retaining walls, sewers, ditches, drains, and channels for sanitary and drainage purposes, or either or both thereof, with necessary outlets, catch-basins, flush-tanks, septic tanks, connecting sewers and other appurtenances, to protect the streets, avenues, lanes, alleys, courts, places or rights of way, or any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways which may be constructed as hereinabove provided, from overflow or injury by water or otherwise; and to order the doing of any other work which shall be necessary to improve the whole, or any portion of such street, avenue, lane, alley, court, place or other land of the city, or any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways, which may have been constructed, or which shall be constructed, under the proceedings provided in this act. This act shall apply equally in cases where the official grade of any public street, avenue, lane, alley, court, place or right of way, or of the roadway of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways, in, on, under, over or through any public street, avenue, lane, alley, court, place or other land of the city, or in, on, under, over or through any land in which and where the city may then have an easement or right of way therefor has previously been established or changed, and where such grade is established, modified or changed in whole or in part by the same proceedings by which the improvement is ordered, if in the opinion of the legislative body of the city, damage will result to private property from the making of the improvement contemplated by the proceedings.

## AMENDMENT NUMBER FIVE.

On page 6, line 35, of the printed bill, following the word "sureties", strike out the period and the word "The" following, and insert in lieu thereof the words "upon the".

## AMENDMENT NUMBER SIX.

On page 5, line 23, of the printed bill, strike out "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER SEVEN.

On page 6, line 9, of the printed bill, strike out "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER EIGHT.

On page 6, line 17, of the printed bill, strike out "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER NINE.

On page 6, line 20, of the printed bill, strike out "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER TEN.

On page 6, line 28, of the printed bill, strike out "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER ELEVEN.

On page 6, line 29, of the printed bill, strike out "and/or", and insert in lieu thereof the word "or".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 126?

The roll was called, and Assembly amendments to Senate Bill No. 126 concurred in by the following vote:

AYES. Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman,

Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 126 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 101—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE HUNDRED ONE.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended March 29, 1927, after the semicolon in line 15, add the following: "one matron at a salary of one thousand two hundred dollars per annum;"

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 101?

The roll was called, and Assembly amendment to Senate Bill No. 101 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Feltom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 101 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED EIGHTY-SIX.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended April 1, 1927, after the comma following the word "taxation", insert the following: "providing for a commission therefor and defining the powers and duties of such commission in respect thereto,".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, as amended April 1, 1927, strike out the comma and the word "and", and insert in lieu thereof the following: "to constitute a commission to make the investigation and report authorized by this act. Said commission shall be known as the California tax commission. The governor may designate the chairman of said commission and may".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended April 1, 1927, strike out lines 19 to 22, inclusive, and insert in lieu thereof the following: "erty values and such property values as are taxed directly by the state under the existing system of taxation.

SEC. 3. The commission provided for in this act is hereby authorized and empowered, at the".

AMENDMENT NUMBER FOUR.

On page 2, line 12, of the printed bill, as amended April 1, 1927, strike out the word "The", and insert in lieu thereof the following: "Except in the case of state officers, who shall receive no per diem or salary as members of this commission, the".

AMENDMENT NUMBER FIVE.

On page 2, line 13, of the printed bill, as amended April 1, 1927, strike out the words "section 1 of this act shall receive no", and insert in lieu thereof the following: "this act shall receive as".

AMENDMENT NUMBER SIX.

On page 2, line 14, of the printed bill, as amended April 1, 1927, strike out the word "but", and insert in lieu thereof the following: "the sum of fifteen dollars per day for each day actually employed in this work, not exceeding twenty days in any

one calendar month for the chairman of the commission and not exceeding ten days in any one calendar month for any other member of the commission. All members of the commission".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 186?

The roll was called, and Assembly amendments to Senate Bill No. 186 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 186 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers in counties of the fifty-fourth class.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED SEVENTY-FOUR. AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out line 37, and on line 38, strike out the following: "county work.", and insert in lieu thereof the following:

12. The county surveyor, twenty dollars per day from and after the day on which this act becomes effective to the thirty-first day of December, 1927, when engaged in county work. On and after the first day of January, 1928, he shall receive ten dollars per day when engaged in county work.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 874?

The roll was called, and Assembly amendment to Senate Bill No. 874 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 874 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 523—An act to amend sections 2 and 50 of an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-THREE.

##### AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, after the word "than", and before the word "thousand", strike out the word "five", and insert in lieu thereof the word "fifty".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 523?

The roll was called, and Assembly amendment to Senate Bill No. 523 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
NOES—None.

Senate Bill No. 523 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 527—An act to amend section 781 of the Code of Civil Procedure of the State of California, providing for the action of the court where property is sold in partition suits and there are contingent future rights or estates or life estates.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, in line 4 of the title of the printed bill, as amended, strike out the word "by."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 527?

The roll was called, and Assembly amendment to Senate Bill No. 527 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
NOES—None.

Senate Bill No. 527 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, fixing the salaries of the clerks and providing the manner of fixing the salaries of the phonographic reporter, the stenographers and the service agent.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended, strike out the comma following the word "clerks".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 528?

The roll was called, and Assembly amendment to Senate Bill No. 528 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
NOES—None.

Senate Bill No. 528 ordered to enrollment.



## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED THIRTEEN.

## AMENDMENT NUMBER ONE.

On page 1, lines 16, 17 and 18, of the printed bill, strike out the following: "nor to any motor vehicle fuel delivered under contracts entered into prior to the fourteenth day of May, 1923,".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 713?

The roll was called, and Assembly amendment to Senate Bill No. 713 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 713 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation, and providing for the creation of offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer, and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED NINETY-FIVE.

## AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, as amended in the Senate March 18, 1927, strike out the words "or attempted to inflict".

## AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended in the Senate March 18, 1927, line 6 thereof, strike out the word "eight", and insert in place thereof the word "nine".

## AMENDMENT NUMBER THREE.

On page 7 of the printed bill, as amended in the Senate March 18, 1927, line 8 thereof, after the word "hundred", and before the word "dollars", insert the word "fifty".

## AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, as amended in the Senate March 18, 1927, line 9 thereof, strike out the word "twenty-five", and insert in place thereof the word "seventy-five".

## AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, as amended in the Senate March 18, 1927, line 10 thereof, strike out the word "and".

## AMENDMENT NUMBER SIX.

On page 7 of the printed bill, as amended in the Senate March 18, 1927, line 10 thereof, strike out the word "one", and insert in place thereof the word "two".

## AMENDMENT NUMBER SEVEN.

On page 7 of the printed bill, as amended in the Senate March 18, 1927, line 11 thereof, strike out the words "seventy five dollars per month", and insert in place thereof the following: "ten dollars per month; and one assistant adult probation officer who shall act as cashier and clerk, one hundred ninety dollars per month".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 595?

The roll was called, and Assembly amendments to Senate Bill No. 595 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NOES—None.

Senate Bill No. 595 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 462—An act to amend sections 5, 6 and 7 of an act entitled "An act to regulate the vocation of dealing in fish and in wild game and animals by wholesale for profit and to provide therefrom revenue for the propagation and restoration of fish and game in the State of California," approved April 14, 1911, as amended; and adding a new section thereto to be known as section 11½.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-TWO.

## AMENDMENT NUMBER ONE.

Strike out lines 2 to 9, inclusive, of the title of the amended printed bill, and insert in lieu thereof the following: "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish, by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911, as amended, relating to domestically raised fish.

## AMENDMENT NUMBER TWO.

On page 1 of the amended printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

SECTION 1. Section 5 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish, by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911, as amended, is hereby".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 462?

The roll was called, and Assembly amendments to Senate Bill No. 462 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman,

Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NAYS—None.

Senate Bill No. 462 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1916, as amended, relating to fish and game districts.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED THIRTY-FIVE.

##### AMENDMENT NUMBER ONE.

In line 7 of the title of the amended printed bill, strike out the double quotation mark following the word "herewith", and in lieu thereof insert a single quotation mark.

##### AMENDMENT NUMBER TWO.

In line 8 of the title of the amended printed bill, following the comma after the figures "1915", insert a double quotation mark and the following: "approved May 28, 1917".

##### AMENDMENT NUMBER THREE

Strike out line 7 of the amended printed bill, and insert in lieu thereof the following: "acts inconsistent herewith", approved May 19, 1915," approved May 28, 1917, as".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 635?

The roll was called, and Assembly amendments to Senate Bill No. 635 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlain, Christian, Cobb, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Weller, West, and Young—33.  
 NAYS—None.

Senate Bill No. 635 ordered to enrollment.

#### CONSIDERATION OF DAILY FILE.

##### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 75—An act to amend section 737r of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco.

##### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 75, as amended March 21, 1927, to Senator Weller, as a Special Committee of One to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 1, line 4, of the amended printed bill, following the comma after the word "San Francisco," insert the word "the".

##### AMENDMENT NUMBER TWO.

On page 1, line 5, of the amended printed bill, after the words "Los Angeles", insert the words "shall be".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 75, with instructions to amend, respectfully reports the same back, amended as per instructions.

WELLER, Special Committee.

Report read, and on motion of Senator Swing adopted.  
Bill ordered to print.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWENTY-SEVEN.

## AMENDMENT NUMBER ONE.

On page 3, line 13, of the printed bill, following the word "property", insert the following: "attached, and a notice that it is attached shall be recorded or registered the same as in the attachment of real property."

## AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed bill, following the word "defendant", insert the word "is".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 327?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 327 by the following vote:

AYES—None

NOES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Weller, and West—28.

## APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators McKinley, Murphy and Chamberlin as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Senate Bill No. 327.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plans for penalties for nonconformance thereto, that building permits shall conform to official master plans for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED EIGHTY-FIVE.

## AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, after the word "plans", insert a comma.



## AMENDMENT NUMBER TWO.

On page 1, lines 5, 6 and 7, of the printed bill, strike out the following: "showing the streets, building setback lines, easements, public rights in land, parks and playgrounds theretofore laid out, adopted and established by law,".

## AMENDMENT NUMBER THREE.

On page 4, line 39, of the printed bill, change the word "construed" to "constructed".

## AMENDMENT NUMBER FOUR.

On page 4, line 47, of the printed bill, add the word "or" before the word "structure", and strike out the words "or utility".

## AMENDMENT NUMBER FIVE.

On page 5, line 3, of the printed bill, after the word "act", insert the words "upon such submission".

## AMENDMENT NUMBER SIX.

On page 5, lines 49 and 51, of the printed bill, change the word "board" to "commission".

## AMENDMENT NUMBER SEVEN.

On page 6, line 36, of the printed bill, before the word "planning", insert the word "county".

## AMENDMENT NUMBER EIGHT.

On page 6, lines 36 and 37, of the printed bill, strike out the words "of the county or city and county".

## AMENDMENT NUMBER NINE.

On page 6, lines 45 and 46, of the printed bill, for the words "in section 14" substitute the word "herein".

## AMENDMENT NUMBER TEN.

On page 7, lines 31 to 39, of the printed bill, amend to read as follows:

SEC. 17. Before the approval of a plat, the planning commission and legislative body shall take into consideration the prospective character of development of the area included in the plat and of the surrounding territory. (No change in balance of section.)

## AMENDMENT NUMBER ELEVEN.

On page 10, line 42, of the printed bill, change the word "thirty" to read "forty".

## AMENDMENT NUMBER TWELVE.

On page 11, line 11, of the printed bill, after the third word "the", insert the words "area of".

## AMENDMENT NUMBER THIRTEEN.

On page 11, line 49, of the printed bill, after the word "file", insert the words "in the office of said legislative body".

## AMENDMENT NUMBER FOURTEEN.

On page 12, end of line 6 and line 7, of the printed bill, in place of the word "therefor" insert the words "for the right to construct any building, fence or other structure".

## AMENDMENT NUMBER FIFTEEN.

On page 12, line 17, of the printed bill, after the word "therein", insert the words "other than the right to erect or construct thereon any building, fence or other structure".

## AMENDMENT NUMBER SIXTEEN.

On page 14, line 18, of the printed bill, in place of the word "commissioners", insert the word "supervisors".

## AMENDMENT NUMBER SEVENTEEN.

On page 3, line 6, of the printed bill, strike out the word "or".

## AMENDMENT NUMBER EIGHTEEN.

On page 8, line 1, of the printed bill, strike out the word "and/".

## AMENDMENT NUMBER NINETEEN.

On page 8, line 5, of the printed bill, strike out the word "or".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 585?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 585 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Weller, and West—28.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 570—An act to amend section 1409 of the Political Code, relating to persons employed in public school service.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution, relating to manner of fixing compensation of certain officers and jurors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Assembly Constitutional Amendment No. 34 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, N. M., Chairman.

Assembly Constitutional Amendment No. 35 ordered on file.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 959—An act authorizing the State Director of Institutions, with the approval of the State Board of Control, to grant to the county of San Bernardino for highway and road purposes the use of certain lands belonging to the State of California situated in San Bernardino—has had the same under consideration, and

respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

SHARKEY, Chairman.  
JONES, RAY.  
BAKER.  
WAGY.  
McKINLEY.  
ALLEN, J. M.  
HURLEY.  
BOGGS.  
HANDY.  
SWING.

Assembly Bill No. 959 ordered on file for second reading.

#### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1031—An act to amend section 26 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to subrogation procedure in workmen's compensation cases—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

HOLLISTER, Chairman.

Assembly Bill No. 1031 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 762—An act to amend section 594½ of the Political Code, relating to organizations which grant annuities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

HOLLISTER, Chairman.

Assembly Bill No. 762 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 997—An act to modify the elective provisions of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, with respect to acceptance of the provisions of said act by persons engaged in farm, dairy, agricultural, viticultural or horticultural employments and in stock or poultry raising by providing that employers and employees in such employment shall be presumed to have accepted the provisions of said act unless either employer or employee shall have made and filed a notice of rejection of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

JONES, H. C., Chairman.  
ALLEN, J. M.  
BAKER.  
CHAMBERLIN.  
CHRISTIAN.  
INMAN.  
JOHNSON.  
LYON.  
McKINLEY.  
SWING.  
WELLER.

Assembly Bill No. 997 ordered on file for second reading.

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1283—An act conveying certain tide lands and lands lying under inland navigable waters situate in Mission Bay (also known as False Bay) and in the bay of San Diego to the city of San Diego in furtherance of navigation, and

commerce and the fisheries, and providing for the government, management and control thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GRAY, Acting Chairman.  
CANEPA.  
CHAMBERLIN.  
EVANS.  
HURLEY.  
MUELLER.

Assembly Bill No. 1283 ordered on file for second reading.

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1284—An act to amend sections 1, 5, 6 and 7 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of act in conflict herewith," approved June 9, 1923, and to add a new section thereto to be numbered 7½, relating to the use of convicts on State highways and roads, creating a "convict's benefit" fund and providing for payments in and out of the same, providing that convicts so used shall not be restored to civil rights or subject to the provisions of the Workmen's Compensation, Insurance and Safety Act of 1917, or entitled to any benefits thereunder—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Assembly Bill No. 1284 ordered on file for second reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1221—An act to add a new section to be numbered 5½ to an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said map unless the same are recorded," approved March 15, 1907, as amended, relating to subdivision of land bounded on any side, or in any way, by the ocean, or by an inlet, bay, estuary, or arm thereof.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the word "plat", add the following: "an easement or right of way for".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, after the word "made", insert the word "purposes".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the word "front", strike out the word "built", and insert in lieu thereof the word "established".

Amendment adopted.



## AMENDMENT NUMBER FOUR.

On page 2, line 5, of the printed bill, after the word "such", insert the words "easements or rights of way for".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 2, line 25, of the printed bill, after the word "such", insert the words "easements or rights of way for".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 2, line 25, of the printed bill, after the word "promenade", insert the word "purposes".

Amendment adopted.

## AMENDMENT NUMBER SEVEN.

On page 2, line 28, of the printed bill, as amended April 11, 1927, after the word "subdivision", strike out the period and insert in lieu thereof a semicolon, and add the following: "*provided, however,* that nothing herein contained shall be construed to apply to or affect any area bounded on any side or in any way by the ocean or by an inlet, bay, estuary or arm of an ocean which is intended to be used or is being used for industrial sites."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 254—An act to amend sections 2145, 2153a, 2187, 2189, 2090, 2191, and 2192 of the Political Code, relating to the Department of Institutions.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED FIFTY-FOUR.

## AMENDMENT NUMBER ONE.

On page 8, line 9, of the printed bill, as amended in Senate March 24, 1927, strike out the words "two years", and insert in lieu thereof the words "one year".

## AMENDMENT NUMBER TWO.

On page 8, line 11, of the printed bill, as amended in Senate March 24, 1927, strike out the words "two years", and insert in lieu thereof the words "one year".

## AMENDMENT NUMBER THREE.

On page 9, line 6, of the printed bill, as amended in Senate March 24, 1927, strike out the word "commission", and insert in lieu thereof the words "department of institutions".

## AMENDMENT NUMBER FOUR.

On page 9, line 18, of the printed bill, as amended in Senate March 24, 1927, strike out the words "board of managers", and insert in lieu thereof the word "superintendent".

## AMENDMENT NUMBER FIVE.

On page 9, line 19, of the printed bill, as amended in Senate March 24, 1927, strike out the word "commission", and insert in lieu thereof the words "department of institutions".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 254?

The roll was called, and Assembly amendments to Senate Bill No. 254 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Bozgs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, West, and Young—27.

NOES—None.

Senate Bill No. 254 ordered to enrollment.

## APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Weller, Evans and Kline as a Committee on Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 585.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY.

## AMENDMENT NUMBER ONE.

On page 10, line 52, of the amended printed bill, strike out the word "net".

## AMENDMENT NUMBER TWO.

On page 11, line 9, of the amended printed bill, strike out the word "net".

## AMENDMENT NUMBER THREE.

On page 11, line 26, of the amended printed bill, strike out the word "net".

## AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, as amended March 25, 1927, after the word "college" in line 40, strike out the semicolon, and insert in lieu thereof a period.

## AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, as amended March 25, 1927, in line 40 strike out the word "pro-", and strike out all of lines 41, 42 and 43, and in line 44 strike out "fee to be fixed by the junior college board."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 430?

The roll was called, and Assembly amendments to Senate Bill No. 430 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, West, and Young—27.

NOES—None.

Senate Bill No. 430 ordered to enrollment.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 46—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of an additional judge and the manner of payment of his compensation.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FORTY-SIX.

## AMENDMENT NUMBER ONE.

In line 3 of the printed bill, strike out the word "six", and insert in lieu thereof the word "five".

## AMENDMENT NUMBER TWO.

In line 9 of the printed bill, strike out the word "two", and insert in lieu thereof the word "one".

## AMENDMENT NUMBER THREE.

In line 10 of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

## AMENDMENT NUMBER FOUR.

In line 11 of the printed bill, strike out the word "judges", and insert in lieu thereof the word "judge".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 46?

The roll was called, and Assembly amendments to Senate Bill No. 46 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, West, and Young—28.

NOES—None.

Senate Bill No. 46 ordered to enrollment.

## UNFINISHED BUSINESS FILE.

Assembly Bill No. 157—An act to add a new section to be numbered 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the making of reassessments.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 157?

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 157 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, West, and Young—27.

## APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Lyon, Evans and Boggs as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 157.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 19—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively;



Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 7 of article I thereof, relating to trial by jury;

Also: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending sections 2, 3 and 7 of article IX thereof;

Also: Senate Bill No. 168—An act to amend sections 653ff, 653kk, and 653jj of the Civil Code, relating to nonprofit cooperative associations with or without capital stock;

Also: Senate Bill No. 19—An act to add a new section to the Code of Civil Procedure, to be numbered 925a, relating to justices' courts;

Also: Senate Bill No. 490—An act to amend section 78 and to repeal section 90 of the Political Code, relating to the division of the State into legislative districts and defining and establishing such districts and to repeal all acts in conflict with this act;

Also: Senate Bill No. 381—An act to amend section 1096 of the Penal Code, and to add a new section to the Penal Code to be numbered 1096a, relating to reasonable doubt and the presumption of innocence, and the manner of charging juries concerning them;

Also: Senate Bill No. 399—An act to amend section 869 of the Penal Code, relating to the time of filing of transcripts of testimony and delivery of copy thereof to defendant;

Also: Senate Bill No. 408—An act to amend section 484, 485, 486, 487, 488, 489, and 490, of the Penal Code, and to add a new section to the Penal Code, to be numbered 490a, defining the crime of theft and prescribing punishment therefor;

Also: Senate Bill No. 404—An act to add a new section to the Penal Code to be numbered 681b, relating to punishment for criminal offenses; and to repeal section 681, of part II, title XVI of the Penal Code, relating to punishment for criminal offenses;

Also: Senate Bill No. 5—An act to provide for the organization and creation of improvement districts within irrigation districts organized under the "California Irrigation District Act;" to provide for the construction of improvements therein, and for the levy of assessments on the lands of such improvement districts;

Also: Senate Bill No. 23—An act to amend section 2969 of the Civil Code, relating to levy of writs of attachments and executions;

Also: Senate Bill No. 45—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, so as to entitle the applicant for employment to double the amount of the fee paid in the event the fee paid is not returned within forty-eight hours after demand, in cases where the applicant fails to obtain employment;

Also: Senate Bill No. 77—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment;

Also: Senate Bill No. 165—An act to amend section 653w of the Civil Code, relating to nonprofit cooperative corporations;

Also: Senate Bill No. 183—An act to add a new section to the Political Code to be numbered 1607f, relating to the powers and duties of boards of trustees and city boards of education and authorizing such boards to establish, equip and maintain buildings to house employees of the school district;

Also: Senate Bill No. 198—An act to amend section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor, approved March 11, 1907, as amended;

Also: Senate Bill No. 250—An act to amend section 669 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 255—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class;

Also: Senate Bill No. 361—An act to add a new section to the Penal Code, to be numbered 1050, and to repeal section 1052 of the Penal Code, relating to trials and continuances of criminal cases;

Also: Senate Bill No. 273—An act to add a new section, to be numbered 956a, to the Code of Civil Procedure, relating to remedial powers of the appellate courts;

Also: Senate Bill No. 265—An act to add a new section to the Code of Civil Procedure, to be numbered 5594, relating to writs of attachment;

Also: Senate Bill No. 291—An act to amend section 729 of the Code of Civil Procedure, relating to the oath and undertaking of commissioner, report and account of sale and compensation of commissioner on foreclosure proceedings;



Also: Senate Bill No. 347—An act to amend section 2646 of the Political Code, relating to the maintenance and repair of county highways;

Also: Senate Bill No. 375—An act to amend section 1181 of the Penal Code, relating to the grounds upon which new trials may be granted and providing for modification of verdicts in criminal cases;

Also: Senate Bill No. 378—An act to amend section 1156 of the Penal Code, relating to special verdict in criminal cases;

Also: Senate Bill No. 380—An act to amend section 1123 of the Penal Code, relating to alternate jurors;

Also: Senate Bill No. 385—An act to add a new section to the Penal Code, to be numbered 1044, relating to the duties of judges in the trial of criminal cases;

Also: Senate Bill No. 388—An act to amend section 1008 of the Penal Code, relating to the amendment of indictment or information;

Also: Senate Bill No. 389—An act to amend sections 1006 and 1011 of the Penal Code, relating to demurrers in criminal cases and effect of overruling thereof;

Also: Senate Bill No. 391—An act to add a new section to the Penal Code, to be numbered 969a, relating to pleading prior convictions in indictments or informations and providing for the filing of supplemental information charging prior conviction which may have been omitted in original indictment or information;

Also: Senate Bill No. 392—An act to amend section 960 of the Penal Code, relating to the sufficiency of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 393—An act to amend section 959 of the Penal Code, relating to the sufficiency of indictments, informations, and complaints;

Also: Senate Bill No. 395—An act to amend section 952 of the Penal Code, relating to pleadings and form of indictment or information;

Also: Senate Bill No. 396—An act to amend section 951 of the Penal Code, relating to the form of indictment or information in criminal cases;

Also: Senate Bill No. 405—An act to add a new section to the Penal Code, to be numbered 681a, relating to trials in criminal cases;

Also: Senate Bill No. 410—An act to amend sections 1246 and 1252 of the Penal Code, to add a new section to the Penal Code to be numbered 1256, and to repeal sections 1247, 1247a, 1247b, 1247c, and 1247d, of the Penal Code, relating to appeals in criminal cases;

Also: Senate Bill No. 411—An act to amend section 969 of the Penal Code, relating to pleading of prior convictions in indictments or informations;

Also: Senate Bill No. 435—An act to amend sections 2 and 3 of the "Building and Loan Commission Act," approved April 5, 1911, as amended, relating to the salaries and expenses of the Building and Loan Commission and the building and loan inspection fund;

Also: Senate Bill No. 483—An act to amend section 411 of the Code of Civil Procedure of the State of California, relating to the service of summons;

Also: Senate Bill No. 596—An act to amend the Civil Code, by adding a new section thereto, to be known as section 161a thereof, relating to the respective interests of husband and wife in community property, and more clearly defining the same;

Also: Senate Bill No. 619—An act validating the formation and organization, and determining the boundaries of East Side county water district, in the county of Santa Clara, State of California;

Also: Senate Bill No. 652—An act creating in the division of libraries a commission on California representation at the National Statuary Hall at Washington, District of Columbia, and defining the powers and duties thereof;

Also: Senate Bill No. 766—An act to amend section 19a24 of the Juvenile Court Law, relating to salaries of probation officers in counties of the twenty-fourth class;

Also: Senate Bill No. 831—An act to amend section 1881 of the Code of Civil Procedure, relating to confidential communications;

Also: Senate Bill No. 845—An act authorizing the Governor of the State to sign, the State Controller to countersign, and the State Treasurer to indorse any and all bonds prepared pursuant to the provisions of section 4 of article XVI of the constitution of the State of California which have not been signed by the Governor, countersigned by the State Controller and indorsed by the State Treasurer who were in office on the second day of January, 1927;

Also: Senate Concurrent Resolution No. 17—Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1927, at 4 o'clock p.m.

JONES, RAY, Chairman.

RECESS.

At twelve o'clock and thirty-three minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of two o'clock p.m.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Senator Hollister of the Twenty-fifth Senatorial District in the chair.

Assistant Secretary Albert Brady at the desk.

## MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Jones, Ray, moved to reconsider the vote whereby Assembly Bill No. 560 was passed.

Assembly Bill No. 560—An act to amend section 4270 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the forty-first class.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 560 was passed carried by the following vote:

AYES—Senators Allen, J. M., Baker, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Waggy, Weller, and West—21.

NOES—None.

Assembly Bill No. 560—An act to amend section 4270 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the forty-first class.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones, Ray, moved to refer Assembly Bill No. 560, as amended April 20, 1927, to Senator Swing, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, as amended April 20, 1927, strike out the word "of", preceding the word "arrest", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, as amended April 20, 1927, strike out the word "of", preceding the word "arrest", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER THREE.

On page 2, line 43, of the printed bill, as amended April 20, 1927, strike out the words "deputy office", and insert in lieu thereof the words "office deputy".

## AMENDMENT NUMBER FOUR.

On page 3, line 36, of the printed bill, as amended April 20, 1927, strike out the word "Marysville", and insert in lieu thereof the word "said".

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 560, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Jones, Ray, adopted.

Bill ordered to print.

## THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 430—An act to amend section 4278 of the Political Code, relating to salaries and fees of officials in counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

## CALL OF THE SENATE.

Pending the announcement of the vote, Senator Garrison moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Baker, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; McKinley, Murphy, Pedrotti, Rush, Slater, and Weller—19.

The Secretary announced the absentees.

Time, two o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

## PROCEEDINGS UNDER CALL OF THE SENATE.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1065—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation.

## MOTION TO RE-REFER.

Senator Allen, J. M., moved to re-refer Assembly Bill No. 1065 to Committee on Fish and Game.

Motion carried, and such was the order.

Assembly Bill No. 229—An act to declare certain reclaimed land in the city of Vallejo to be free from certain trusts and restrictions imposed on such land when granted to such city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 229 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Waggy, Weller, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 777—An act appropriating money to pay the claim of Grace E. Kelshaw, as county treasurer of the county of San Luis Obispo, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 777 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 316—An act to amend section 4250 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 316 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Wagy, Weller, and West—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 52—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 52 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Wagy, Weller, West, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1024—An act to add a new section to the Political Code, to be numbered 4264*b*, relating to highways and the highway tax in counties of the thirty-fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1024 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Wagy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1025—An act to add a new section to the Political Code, to be numbered 2655*a*, relating to records of county road districts.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 1025 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1092—An act relating to the service of county free libraries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1092 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 130—An act to provide for the investigation of the economic problems of agriculture, and the appointment of a commission and the making of an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 130 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1272—An act to amend sections 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19 and 21 of the General Dairy Law of California, relating to milk and products of milk and containers thereof, labeling, adulterants, dairy plant sanitation, pasteurization, licenses, testing milk and cream, and the powers and duties of the Department of Agriculture of the State of California in connection therewith, and making an appropriation for the enforcement of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1272 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1167—An act to amend section 412 of the Penal Code, relating to bandages on the hands or arms of contestants in amateur boxing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1167 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, H. C., Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—29.

NOES—Senator Johnson—1.

Title read and approved.

#### NOTICE OF MOTION TO RECONSIDER.

Senator Hurley gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1167 was passed.

Assembly Bill No. 609—An act to amend section 3773 of the Political Code, relating to land sold for taxes, and disposition of money received.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 609 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Felleon, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 907—An act declaring the policy of the State in respect to old age pensions, providing for an investigation of old age pension systems, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—18; committee vote: Ayes—12; absent—6.

INMAN, Chairman.

Assembly Bill No. 907 ordered on file for second reading.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

#### ASSEMBLY JOINT RESOLUTION No. 15.

Relative to memorializing Congress for federal aid in the construction of a break-water in Monterey Bay at or near the city of Monterey.

WHEREAS, The development of harbor facilities and ports of refuge on the long coast line of California is of vital importance to the welfare of the State and the nation; and

WHEREAS, Such facilities and ports are necessities to water-borne commerce, which is rapidly increasing on the Pacific coast; and

WHEREAS, Natural harbors along more than 750 miles of California coast line are limited to a few in number as compared to the Atlantic seaboard, and the development of these harbors is extremely important to the ever increasing productivity of the State; and

WHEREAS, The city of Monterey, California, is now seeking federal assistance in the construction of a breakwater in Monterey Bay for the protection of one of the State's leading and unique industries, representing an investment of millions of dollars in property both on land and sea; and

WHEREAS, The city of Monterey has just completed the construction of a new wharf to assist the development of this industry and shipping of commerce to and from the tributary territory at a cost of approximately \$300,000; now, therefore, be it

*Resolved by the Assembly and Senate, jointly,* That the Legislature of the State of California joins with the city of Monterey in respectfully urging and requesting federal assistance in this important project, and the adoption by the Congress of the United States of appropriate legislation for the appropriation of the requisite funds to aid in the construction of said proposed breakwater; and be it further

*Resolved,* That the Chief Clerk of the Assembly be, and he is hereby directed to transmit copies of these resolutions to the President of the United States, to the Secretary of War of the United States, the Secretary of the Navy of the United States, and to each of the members of the Senate and House of Representatives.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 15 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 15 ordered transmitted to the Assembly.

Assembly Bill No. 610—An act to amend section 3816 of the Political Code, relating to the distribution of redemption moneys.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 610 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 924—An act to amend sections 1720, 1750a and 1617 of the Political Code, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 924 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 402—An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 402 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C. Jones, Ray; Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 583—An act to amend sections 537 and 538 of the Code of Civil Procedure, relating to attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 583 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C. Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 336—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED THIRTY-SIX.

##### AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, as amended, after the word "pipes", strike out the period and insert the following: "and specifying conditions under which they shall be laid and maintained."

##### AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, as amended, strike out the comma, insert in lieu thereof a period, and add the following: "Such sewer pipes shall be of a quality and laid and maintained in such a manner as shall at all times be satisfactory to the state board of health and department of institutions."

##### AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, as amended, strike out the word "that".

##### AMENDMENT NUMBER FOUR.

On page 2, line 8, of the printed bill, as amended, after the word "city", insert a comma.

##### AMENDMENT NUMBER FIVE.

On page 2, line 12, of the printed bill as amended, after the word "thereof", insert the following: "for such purposes".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 336?



The roll was called, and Assembly amendments to Senate Bill No. 336 concurred in by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Evans, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Swing, Waggy, Weller, West, and Young—27.

NOES—None.

Senate Bill No. 336 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to age of majority.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED TWENTY-EIGHT.

##### AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "marriage", strike out the period and add the following: "and shall not be construed as repealing or limiting the provisions of section 204 of this code: *provided, further,* that upon the lawful marriage of any female of the age of eighteen years or over but under the age of twenty-one years, such female shall be deemed an adult person for the purpose of entering into any engagement or transaction respecting property or any contract, the same as if such person was over twenty-one years of age."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 428?

The roll was called, and Assembly amendment to Senate Bill No. 428 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Evans, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Sharkey, Slater, Tubbs, Weller, West, and Young—28.

NOES—Senators Chamberlin and Swing—2.

Senate Bill No. 428 ordered to enrollment.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to restraints upon alienation.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED NINETY-FOUR.

##### AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the entire line.

##### AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

##### AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 294?

The roll was called, and Assembly amendments to Senate Bill No. 294 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, and West—31.

NOES—None.

Senate Bill No. 294 ordered to enrollment.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 320—An act to amend sections 4236*a*, 4236*b*, 4236*c*, 4236*d*, 4236*e*, 4236*f*, 4236*g*, 4236*h*, 4236*i*, 4236*j*, 4236*l*, 4236*n*, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 320 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 651—An act to amend section 2322*x*26 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies and inspectors and clerks, of the counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 651 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 535—An act to amend section 628 of the Penal Code, relating to fish and game.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED THIRTY-FIVE.

## AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, as amended March 24, after the first comma insert the following: "two and one-half," and also strike out the following: "seven 'A'".

## AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed bill, as amended March 24, after the first comma insert the following: "two and one-half,".

## AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, as amended March 24, strike out the following: "seven 'A'".

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended March 24, in line 29, strike out the semicolon, and insert in lieu thereof a period, and strike out the rest of line 29 following thereafter.

## AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended March 24, strike out lines 1 to 4, inclusive, and that part of line 5 which precedes the word "any".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 535?

The roll was called, and Assembly amendments to Senate Bill No. 535 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—30.

NOES—None.

Senate Bill No. 535 ordered to enrollment.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 667—An act to provide a stenographer and typist for judges of the superior courts, and providing for their salaries and the payment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 667 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1286—An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1286 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Slater, Swing, Tubbs, Weller, and West—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 578—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 578 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1044—An act to amend section 714 of the Code of Civil Procedure, relating to examination of judgment debtor concerning his property in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1044 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wag, Weller, and West—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO WITHDRAW ASSEMBLY BILL FROM COMMITTEE.

Senator Inman moved to withdraw Assembly Bill No. 1256 from committee and place it on file.

The Secretary was directed to call the roll on Senator Inman's motion to withdraw Assembly Bill No. 1256 from committee and place it on file.

The roll was called, and the motion to withdraw Assembly Bill No. 1256 from committee carried by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, McKinley, Murphy, Pedrotti, Slater, Tubbs, and Weller—22.

NOES—Senators Gray, Hurley, Maloney, and West—4.

Assembly Bill No. 1256 ordered withdrawn from committee and placed on file.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

Assembly Bill No. 662—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 662 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Kline, Lyon, Maloney, McKinley, Mueller, Slater, Swing, Tubbs, Weller, and Young—25.

NOES—Senators Chamberlin, Handy, Jones, Ray; Murphy, and West—5.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Garrison.

The Secretary was directed to call the roll on the passage of Assembly Bill No. 430.

The roll was called, and Assembly Bill No. 430 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley,



Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1190—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1190 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### SENATOR CHAMBERLIN IN THE CHAIR.

At three o'clock and thirty-five minutes p.m., Senator Chamberlin of the Thirty-first Senatorial District was called to the chair.

#### SECRETARY JOSEPH A. BEEK AT THE DESK.

#### MOTION TO WITHDRAW ASSEMBLY BILL FROM COMMITTEE.

Senator Christian moved to withdraw Assembly Bill No. 681 from Committee on Finance and place it on file.

The Secretary was directed to call the roll on Senator Christian's motion to withdraw Assembly Bill No. 681 from Committee on Finance and place it on file.

The roll was called, and the motion to withdraw Assembly Bill No. 681 from committee carried by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Evans, Fellom, Gray, Hurley, Ingram, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Swing, Tubbs, Weller, and West—24.

NOES—Senators Boggs, Cobb, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray; Rush, Slater, Waggy, and Young—12.

Assembly Bill No. 681 ordered withdrawn from committee and placed on file.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

April 27, 1927.

*To the Senate of the State of California.*

Senate Bill No. 601 is herewith returned without my approval.

This bill provides that the legislative authority of any district, city, county, county or State is empowered to secure insurance protecting the officials of such district, city, county or State against liability for damage or injury to any person or property resulting from the defective condition of any street.

building, work or property; and provides further that the premium for this insurance shall be paid out of the general fund of such district, city, city and county, county or State.

Although this measure is only permissive, there can be little doubt that, if it were enacted into law, practically every one of the political subdivisions mentioned in the bill would promptly take out such insurance. It would be only natural that the legislative officials empowered by such an act to do this, would at once protect themselves and their fellow officials by taking advantage of the opportunity.

I think that none of us can make any accurate guess as to how expensive such a procedure might be. When we consider the thousands of officials who might be covered, it is clear that the cost for insurance premiums would run up into very many thousands of dollars each year. The political subdivisions of the State are now spared this expense, with very rare cases of harm suffered by public officials through personal liability damage.

Before embarking upon any such new enterprise, I believe that a careful survey should be made to determine accurately the need for this insurance, as well as the probable expense it would entail. Only by such a study can we be full assured that the necessities of the case would justify the expenditure.

I have discussed this matter with the author of the bill, and believe that he is now in substantial agreement with the point of view herein expressed. I am therefore withholding approval of this measure.

Respectfully submitted.

C. C. YOUNG, Governor.

#### SUSTAINING GOVERNOR'S VETO.

Message from the Governor announcing his objections to Senate Bill No. 601 read.

The question being: Shall Senate Bill No. 601 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES None.

NOES Senators Allen, J. M., Boggs, Canepa, Chamberlin, Cobb, Evans, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, West, and Young—26.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State Park Bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FORTY-ONE.

##### AMENDMENT NUMBER ONE.

On page 6, line 35, of the printed bill, strike out the word "hereinbefore", and insert in lieu thereof the word "hereinafter".

##### AMENDMENT NUMBER TWO.

On page 9, line 48, of the printed bill, as amended, after the figures, period and quotation marks, "1927," add the following:

SEC. 14. This act shall take effect upon the adoption by the people of the State of California of an amendment to the constitution of the State of California approving, adopting, legalizing, validating and making fully and completely effective this act.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 441?

The roll was called, and Assembly amendments to Senate Bill No. 441 concurred in by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Evans, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Waggy, Weller, West, and Young—31.

NOES—None.

Senate Bill No. 441 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1208—An act to amend section 633a of the Political Code, relating to insurance brokers and agents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1208 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR IN THE CHAIR.

At five o'clock p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assembly Bill No. 79—An act to amend sections 6 and 32a of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, and to add a new section thereto to be numbered 16a, relating to the sealer of weights and measures, and penalties under this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 79 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones,

H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Tubbs, Waggy, Weller, and West—29.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1146—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1146 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Tubbs, Weller, and West—27.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 861—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 861 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Tubbs, Waggy, and Weller—26.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 862—An act to validate the organization and existence of municipal improvement districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 862 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Slater, Tubbs, Waggy, Weller, and West—27.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 901—An act to amend section 1 of and to add two new sections to be designated sections 2 and 3 to an act entitled "An act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains and conduits, electric light and electric power lines, telephone and telegraph lines, and sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue, or highway or across any railway, canal, ditch or flume, and providing for the means by which the terms, conditions and location of such use shall be determined," approved May 2, 1923, by providing the manner by which terms, conditions, location and safety factors shall be determined.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 901 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1212—An act to amend section 6 of an act entitled "An act to authorize the location of the town site of Crescent City," approved February 12, 1859, as amended or supplemented, relating to the sale, exchange or gift of unclaimed lands by the common council of Crescent City.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1212 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, and West—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1262—An act legalizing and validating the formation and organization of Sacramento Municipal Utility District in the county of Sacramento, State of California; declaring the same created; fixing, defining and establishing the boundaries thereof; and providing for its management and control subject to the provisions of the laws of the State of California, relative to municipal utility districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1262 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C.,

Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—31.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 33—Approving two certain amendments to the charter of the City of San Luis Obispo, ratified by the qualified electors of said city at a special municipal election held on the fourth day of April, 1927.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 33 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Waggy, Weller, and West—30.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1285—An act to amend sections 751 and 851 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to titles of officers of cities of the fifth and sixth classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1285 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, and West—29.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1169—An act making an appropriation to meet a deficiency in the appropriation for subsidies, of the Bureau of Tuberculosis of the State Board of Health.

Bill read third time.

#### PASSAGE OF URGENCY SECTION.

Urgency section read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency features of the bill passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Waggy, Weller, and West—28.  
NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1169 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Tabbs, Waggy, Weller, and West—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1075—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Assembly Bill No. 1075 to Senator Boggs, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

On page 3, line 26, of the printed bill, as amended in the Senate on April 25, 1927, strike out the words "not to", and in line 27 strike out the word "exceed".

##### AMENDMENT NUMBER TWO.

On page 5, line 37, of the printed bill, after the word "copyists", insert the words "and clerks", and in line 38, after the semicolon, insert "and such index clerks as the tax collector may appoint at a compensation of", and strike out the balance of the line, and in line 39, of the printed bill, strike out the word "exceed".

##### AMENDMENT NUMBER THREE.

On page 5, line 40, of the printed bill, after the word "rolls", insert the following: "and copied by such index clerk.", and in line 40, before the word "clerks", strike out the word "index".

##### AMENDMENT NUMBER FOUR.

On page 5, line 41, of the printed bill, after the word "on", strike out the words "the presentation", and insert in lieu thereof the word "presenting".

##### AMENDMENT NUMBER FIVE.

On page 5, line 47, of the printed bill, after the word "and", strike out the words "said index".

##### AMENDMENT NUMBER SIX.

On page 5, strike out all of line 48 of the printed bill, and insert in lieu thereof the following: "clerks shall be paid on presenting and filing of claims".

##### AMENDMENT NUMBER SEVEN.

On page 7, line 3, of the printed bill, strike out all the balance of that line following the word "month", and all of line 4, down to and including the comma after the word "each".

##### AMENDMENT NUMBER EIGHT.

On page 7, line 21, of the printed bill, following the word "assessors", insert a comma, and strike out the balance of the line, and strike out all of lines 22 and 23, and insert in lieu thereof the following: "clerks and copyists, shall be paid out of the same fund as the salary of the assessor is paid on the".

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1075, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Sharkey adopted.

Bill ordered to print.

Assembly Bill No. 869—An act to amend an act entitled "An act providing for farm and home aid for veterans, defining powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to farm and home aid of widows of deceased veterans.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mueller moved to refer Assembly Bill No. 869, as amended March 16, 1927, and March 27, 1927, to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, as amended, after the word and comma "things," add the following: "that if the purchaser has taken advantage of the benefits of the California veteran welfare act or of an act entitled "An act to provide educational opportunities for persons who served in the army, navy or marine corps of the United States in time of war and making an appropriation therefor," approved May 30, 1921, both of which acts were adopted by the forty-fourth session of the Legislature of the State of California, he shall before entering into possession or control of such farm or home return to the California veterans' welfare board an amount of money equal to that received by him for such educational aid, provided said amount shall not exceed the sum of \$100. Any money so returned shall be deposited in the Veterans' farm and home building fund and used in carrying out the purposes of this act. The contract shall also provide among other things".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 869, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Special Committee.

Report read, and on motion of Senator Mueller adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 681—An act appropriating money to be used for the purchase of dam sites and other necessary land to restrain tailings from hydraulic mining operations and for engineering investigations in connection therewith—has had the same under consideration, and respectfully reports the same back without recommendation, in compliance with the vote of the Senate.

INMAN, Chairman.

Assembly Bill No. 681 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 1067—An act to amend sections 1, 3, 4 and 8 of an act entitled "An act to reserve all minerals in state lands; to provide for examination, classification and report on the mineral and other character of state lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this



act," approved May 26, 1921, as amended, relating to leases-- has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership: 7; committee vote: Ayes--6; absent--1.

EVANS, Chairman.

Assembly Bill No. 1067 ordered on file for second reading.

#### ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1134--An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, as amended, and repealing an act entitled "An act creating an 'industrial accident fund' and appropriating moneys therein," approved May 26, 1913--has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

JONES, H. C., Chairman.  
BAKER.  
ALLEN, J. M.  
WEST.  
MUELLER.  
McKINLEY.  
WELLER.  
JOHNSON.  
INMAN.  
LYON.  
CHRISTIAN.  
SWING.

Assembly Bill No. 1134 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 461--An act providing for the organization and government of public service districts for the purpose of establishing and maintaining public labor camps;

Also: Assembly Bill No. 1130--An act to amend section 51 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to disposition of moneys;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

(Signed out)

JONES, H. C., Chairman.  
BAKER.  
ALLEN, J. M.  
WEST.  
MUELLER.  
McKINLEY.  
WELLER.  
JOHNSON.  
INMAN.  
LYON.  
CHRISTIAN.  
SWING.

Assembly Bills Nos. 461 and 1130 ordered on file for second reading.

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1162--An act to amend section 2572 of the Political Code, relating to salaries of the commissioners of the Board of Harbor Commissioners of the port of Eureka--has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GRAY, Vice Chairman.  
MUELLER.  
EVANS.  
HURLEY.  
CANEPA.  
INMAN.

Assembly Bill No. 1162 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1256—An act to amend sections 1, 2, 9, and 12 of an act entitled "An act to establish pilot and pilot regulations for the ports of San Francisco, Mare Island, Vallejo and Benicia," approved March 22, 1870, and to add to said act a new section numbered 26, relating to the powers, duties and compensation of the Board of Pilot Commissioners for said ports, and making an appropriation for the support of said board during the seventy-ninth and eightieth fiscal years—has had the same under consideration, and respectfully reports the same back without recommendation, in compliance with the vote of the Senate.

GRAY, Vice Chairman.

Assembly Bill No. 1256 ordered on file for second reading.

SPECIAL ORDER.

Senator Christian moved that Assembly Bill No. 681 be made a special order for the twenty-eighth day of April, 1927, at eleven o'clock a.m.

Motion carried.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution, relating to manner of fixing compensation of certain officers and jurors.

Constitutional amendment read.

COMMITTEE AMENDMENT.

During the reading of the constitutional amendment, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out, starting with the words, "It shall regulate" etc., down to and including lines 13, 14, up to and including the words "in proportion to duties" in line 15 and insert in lieu thereof the following: "It shall regulate or provide for the regulation by the counties of the compensation of all such officers in proportion to duties or provide for the regulation of same in such other manner as it shall see fit".

Amendment adopted.

Assembly Constitutional Amendment No. 34 read, ordered to print, and on file.

Assembly Bill No. 1130—An act to amend section 51 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to disposition of moneys.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the word "now", and insert in lieu thereof the word "heretofore".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the words "which fund is hereby abolished".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, after the word "therefor", insert the following: "The accident prevention fund is hereby abolished and the balance in such fund when this act takes effect shall be transferred to the general fund and all appropriations heretofore made of said fund shall be payable from the general fund".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, following the word "moneys" in line 4 of the title, insert the following words: "and abolishing the accident prevention fund and disposing of balance in said fund."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1162—An act to amend section 2572 of the Political Code, relating to salaries of the commissioners of the Board of Harbor Commissioners of the port of Eureka.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1256—An act to amend sections 1, 2, 9, and 12 of an act entitled "An act to establish pilot and pilot regulations for the ports of San Francisco, Mare Island, Vallejo and Benicia," approved March 22, 1870, and to add to said act a new section numbered 26, relating to the powers, duties and compensation of the Board of Pilot Commissioners for said ports, and making an appropriation for the support of said board during the seventy-ninth and eightieth fiscal years.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended April 20, 1927, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

An act to amend sections two thousand four hundred forty and two thousand four hundred sixty of the Political Code, relating to the appointment, powers, duties, compensation and expenses of the board of pilot commissioners for the ports of San Francisco, Mare Island and Benicia and of the officers and employees of said board, creating a special fund in the state treasury for the receipt of moneys collected by said board and providing for the disbursement of the moneys in said fund.

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 20, 1927, strike out lines 1 to 21, inclusive; also strike out pages 2 and 3, and insert in lieu thereof the following:

SECTION 1. Section 2440 of the Political Code is hereby amended to read as follows:

2440. There must be appointed by the governor, by and with the advice of the Senate, three experienced and competent shipmasters or nautical men, citizens of the United States, and residents in either of the cities of San Francisco, Oakland, Vallejo or Benicia, or of the towns of Brooklyn or Alameda, a board of pilot commissioners for the ports of San Francisco, Mare Island, and Benicia. Each of the members of said board shall receive as compensation for their services such amount as may be determined from time to time by the board. The board shall have the power to appoint and fix the compensation of a secretary, a treasurer and such other employees as may be necessary. The members of the board and its officers and employees shall be allowed their actual necessary expenses in the performance of their duties.

SEC. 2. Section 2460 of said code is hereby amended to read as follows:

2460. Every pilot of the harbor of San Francisco, Mare Island, Vallejo, and Benicia must, once in each month, upon blanks to be furnished to them by the board of pilot commissioners, render a verified account to the board of all moneys received by him, or by any other person for him, or on his account, and pay five per cent thereof to the board, in full compensation for its official services, for the services of

its secretary and treasurer, and all incidental expenses. Such account shall give the name of each vessel piloted, and the master thereof, and of each vessel for which pilotage has been charged or collected, and the amount charged to or collected from each, and any rebates made and allowed and the amounts thereof, where the same is registered, the depth of its draft, its tonnage, whether inward or outward bound, and whether the amount so received, collected, or charged is for full pilotage or half-pilotage, and the secretary shall record such account in full detail in a book prepared for that purpose, which book shall at all times be open to public inspection. Any and all moneys received by the board under the provisions of this section and any and all other moneys received by the board under or pursuant to the provisions of any other act or law, shall be accounted for at the close of each month to the state controller in such form as the controller may prescribe and at the same time, on the order of the controller, shall be paid into the state treasury to the credit of the board of pilot commissioners' special fund, which fund is hereby created.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 461—An act providing for the organization and government of public service districts for the purpose of establishing and maintaining public labor camps.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

In line 4 of the title of the amended printed bill, following "taining", insert the following: "and providing for the sanitation of".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

On page 5, line 49, of the amended printed bill, strike out the words "make such changes in the boundaries of", and insert in lieu thereof the following: "exclude such territory from".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 6 of the amended printed bill, strike out lines 19 to 24, inclusive, and insert in lieu thereof the following:

Sec. 8. The trustee shall establish, construct and maintain a labor camp as defined in section 2 of the act and shall provide for the supply of water to such camp and provide the necessary sanitary facilities and for such purpose the trustees shall have the power and authority to enter into contract and to expend money and incur liabilities in behalf of the district, shall have the power to adopt an official seal and shall make such rules and regulations as shall be necessary for the management of the district and generally to do all things necessary to properly establish, maintain and conduct the labor camp and maintain a proper water supply and sanitary conditions.

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 6 of the amended printed bill, strike out lines 37, 38 and 39, and insert in lieu thereof the following: "thereupon include in the annual tax levy a tax of not to exceed five mills per dollar in any one year upon all of the property within such district sufficient in their opinion to raise the amount of money necessary for the purposes of the district."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 959—An act authorizing the State Director of Institutions, with the approval of the State Board of Control, to grant to the county of San Bernardino for highway and road purposes the use of certain lands belonging to the State of California situated in San Bernardino.



## COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, after the word "institutions", insert the following: "subject to the approval of the department of finance".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1031—An act to amend section 26 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to subrogation procedure in workmen's compensation cases.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, as amended in Assembly April 20, 1927, strike out the word "commission".

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed bill, as amended in Assembly April 20, 1927, strike out the word "or".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 762—An act to amend section 594½ of the Political Code, relating to organizations which grant annuities.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 997—An act to modify the elective provisions of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, with respect to acceptance of the provisions of said act by persons engaged in farm, dairy, agricultural, viticultural or horticultural employments and in stock or poultry raising by providing that employers and employees in such employment shall be presumed to have accepted the provisions of said act unless either employer or employee shall have made and filed a notice of rejection of said act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1283—An act conveying certain tidelands and lands lying under inland navigable waters situate in Mission Bay (also known as False Bay) and in the bay of San Diego to the city of San Diego in furtherance of navigation, and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1284—An act to amend sections 1, 5, 6 and 7 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; pro-

viding for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, and to add a new section thereto to be numbered 7½, relating to the use of convicts on State highways and roads, creating a "convict's benefit" fund and providing for payments in and out of the same, providing that convicts so used shall not be restored to civil rights or subject to the provisions of the Workmen's Compensation, Insurance and Safety Act of 1917, or entitled to any benefits thereunder.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to add two new sections to be numbered nine and ten to an act".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

Strike out lines 14 to 21 of the title of the printed bill, and insert in lieu thereof the following: "approved June 9, 1923, relating to the status of prisoners at prison road camps and making an appropriation for the maintenance of such road camps."

Amendment adopted.

##### AMENDMENT NUMBER THREE.

Beginning with line 1, page 1, of the printed bill, strike out all down to and including line 42 on page 4, and insert in lieu thereof the following:

SECTION 1. A new section to be numbered 9 is hereby added to an act entitled "An act authorizing the use of convict labor on state highways or state roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, to read as follows:

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 4, line 43, of the printed bill, strike out the figure "7½", and insert in lieu thereof the figure "9".

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 4, following line 51, of the printed bill, insert the following:

Sec. 2. A new section to be numbered section 10 is hereby added to said act to read as follows:

Sec. 10. The sum of six hundred thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of paying the compensation, provided by section 1 of this act, to convicts employed in the construction of portions of the state highway system in accordance with the provisions of this act.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 803—An act to amend sections 2a, 7, 11, 14, 14a, 14d, 15½, 36, 37 and 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, as amended in the Assembly April 20, in line 14, strike out the word "from", and all of lines 15 to 23, inclusive, and insert in lieu thereof the following: "due east from the south side of the mouth of Novato creek to the westerly shore of Mare Island shall be included in fish and game district number two."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1058—An act to regulate the sale and issuance of licenses to take Pismo clams for purposes other than for sale or profit in order to provide revenue therefrom for the preservation, protection and restoration of Pismo clams, and to provide penalties for the violation of this act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1244—An act to amend the title and sections 2, 3, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 23, 24 and 26 and to repeal sections 12 and 29 of an act entitled "An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create a State fish exchange; to license those engaged in marketing fish; to create a State fish exchange fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish," approved June 1, 1917, relating to license fees and the administration of the act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 650—An act to amend section 632 of the Penal Code, relating to the protection of fish; and to repeal section 633 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, strike out the word "three", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 42, of the printed bill, strike out the word "first", and insert in lieu thereof the word "fifteenth".

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 3, line 45, of the printed bill, following the words "Dolly Varden", insert the words "or steelhead".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 3, line 50, of the printed bill, following the words "Dolly Varden", insert the words "or steelhead".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1163—An act to amend section 3664c of the Political Code, relating to the State Board of Equalization.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 907—An act declaring the policy of the State in respect to old age pensions, providing for an investigation of old age pension systems, and making an appropriation therefor.

## COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

## AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, as amended April 26, 1927, strike out the following: "declaring the policy of the state in respect to old age pensions."

Amendment adopted.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 26, 1927, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 51, inclusive, and on page 3, strike out lines 1 to 52, inclusive.

Amendment adopted.

## AMENDMENT NUMBER THREE.

On page 4, line 1, of the printed bill, as amended April 26, 1927, strike out the following: "Sec. 3.", and insert in lieu thereof "Section 1."

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 4, line 11, of the printed bill, as amended April 26, 1927, strike out the figure "4", and insert in lieu thereof the figure "2".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, as amended April 26, 1927, strike out lines 15 to 26, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1067—An act to amend sections 1, 3, 4 and 8 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of



acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 26, 1921, as amended, relating to leases.

#### COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Strike out line 1 of the title of the printed bill, as amended March 21, 1927, and insert in lieu thereof the following: "An act to amend sections one, two, three, four, eight, and ten of an".

Amendment adopted.

##### AMENDMENT NUMBER TWO.

In line 13 of the title on page 1 of the printed bill, as amended March 21, 1927, eliminate the period after the word "leases", and insert the following: ", repealing acts or parts of acts in conflict herewith and making this act an urgency measure".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended March 21, 1927, in line 1 thereof, strike out the figure "4".

Amendment adopted.

##### AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, as amended March 21, 1927, beginning in line 5 and ending in line 6 strike out the following: ", or land below tidewater, and below ordinary highwater mark bordering upon tidewater within the State" and insert a period.

Amendment adopted.

##### AMENDMENT NUMBER FIVE.

On page 2, in lines 9 and 10 of the printed bill, as amended March 21, 1927, strike out the following: "except as hereinafter expressly provided".

Amendment adopted.

##### AMENDMENT NUMBER SIX.

On page 2 of the printed bill, as amended March 21, 1927, between the lines 18 and 19, insert the following:

Sec. 2. Section 2 of said act as amended is hereby amended to read as follows:

Sec. 2. All applications to purchase state lands which may be filed subsequent to the passage of this act, and all sales shall be subject to and contain a reservation to the state of all coal, oil, gas, and other mineral deposits in all land so acquired, and all certificates of purchase and patents issued therefor, shall contain such reservation.

Amendment adopted.

##### AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended March 21, 1927, in line 19 strike out the figure "2", and insert in lieu thereof the figure "3".

Amendment adopted.

##### AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, as amended March 21, 1927, beginning in line 22, strike out the following: ", other than as herein excepted,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 30, of the printed bill, as amended March 21, 1927, strike out the figure "3", following the word "Sec.", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, as amended March 21, 1927, strike out all of line 52, as stricken out, and insert in lieu thereof the following: "easily determined."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, as amended March 21, 1927, strike out all of lines 1 to 7, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, as amended March 21, 1927, in line 8 thereof, strike out the figure "2" following the word "Sec.", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4 of the printed bill, in line 38, eliminate the period and insert in lieu thereof the following: "*provided, further, however,* that tide, overflowed or submerged land shall not be subject to the foregoing provisions of this section."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, as amended March 21, 1927, after line 45, add the following:

SEC. 6. Section 10 of said act, approved May 26, 1921, as amended, is hereby amended to read as follows:

Sec. 10. Where any oil or gas well is placed on commercial production, within three hundred feet of the ordinary line of any tide, overflowed or submerged land belonging to the state, the chairman of the state board of control, for and on behalf of the state, is hereby authorized to immediately lease such land for oil and gas development, when in the judgment of the board of control it is necessary to do so for the protection of the best interests of the state, for a period of not exceeding twenty years, in tracts not exceeding twenty acres in area in any one lease, covering state land so that offset wells only may be drilled thereon for oil or gas, to applicants therefor who shall apply for permits or leases from the state and whose reliability and general qualifications for carrying out the terms of such lease in the interests of the state shall be determined by the state board of control. All leases entered into under the terms of this section shall be conditioned upon the lessee complying with all reasonable conditions in the lease, made for the protection of adjacent beaches and other property from pollution and damage and for the best interests of the people of the state including a sufficient bond and forfeiture clause guaranteeing the payment of damages if any, from pollution of water and beaches or nuisance should any result from the drilling, production and handling of oil and gas wells and their products under this section and providing that such development and operations shall be under the supervision of the state oil and gas supervisor and further conditioned upon the lessee paying such bonus and royalty of not less than twelve and one-half per cent of the sale value of the oil and gas produced therefrom, determined by competitive bidding only, and as may be acceptable to the state board of control.

Immediately upon the taking effect of this amendment, any moneys received by the board, or any officer thereof, collected under or pursuant to the provisions of this section and now in the hands of the board or of any officer thereof, shall be accounted for to the controller and paid into the state treasury to be credited and disposed of in the manner herein indicated. The moneys deposited in the state treasury to the credit of the pilot commissioners' special fund are hereby appropriated without regard to fiscal years for the payment of the compensation and expenses of the board and of the officers and employees thereof.

In granting any such lease the littoral owner opposite the premises proposed to be leased shall have a preferential right to a lease of such part of said premises

as said board of control may determine, which right must be exercised within a period of ten days after the opening of bids; *provided, however*, that no person, firm or corporation shall take or hold more than one such lease.

No such offset well shall be placed within a distance of one hundred fifty feet from the ordinary line of any tide, overflowed or submerged land belonging to the placed at a distance less than one hundred fifty feet from said line, in which case the offset well may be placed as near to said line as such well or wells on such littoral lands are placed.

SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public welfare, peace and safety within the meaning state, unless the well or wells on littoral lands adjoining the demised premises be of section 1 of article IV of the constitution of the State of California and as such shall take effect immediately.

The statement of facts constituting the necessity and urgency are as follows:

Intensive drilling operations are being conducted and rushed within a few feet of one of the boundaries of property of the State of California. Valuable quantities of oil and gas are being drawn from under lands from which the State should otherwise gain a large return and the decline of production has already commenced to show itself in neighboring wells, due to the closeness of the wells. The exhaustion of the gas pressure as well as oil contents of the formation underlying the land of the State is now going on and the safety of the property of the State is thereby endangered and property of the State consisting of oil and gas is being drained away and recovered by persons producing from neighboring lands which is against the public interest, welfare and safety of the property and interests of the state. If this act does not take effect immediately the State of California will be deprived of part of its property.

SEC. 8. All acts and parts of acts in conflict herewith are hereby repealed but nothing herein contained shall enlarge or detract from any rights initiated or acquired under the terms of the law as it existed prior to the passage of this act.

#### Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1134—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, as amended, and repealing an act entitled "An act creating an 'Industrial Accident Fund' and appropriating moneys therein," approved May 26, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 681—An act appropriating money to be used for the purchase of dam sites and other necessary land to restrain tailings from hydraulic mining operations and for engineering investigations in connection therewith.

Bill read second time, and ordered on file for third reading.

#### REMARKS BY SENATOR MUELLER.

Senator Mueller addressed the Senate on the occasion of this being the one hundred third anniversary of the birthday of former President U. S. Grant, and moved, duly seconded by Senator Breed, that when adjournment for this day should be had that such adjournment should be out of respect to the memory of Ulysses S. Grant.

Motion unanimously carried.

#### ADJOURNMENT.

At five o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned, out of respect to the memory of the late U. S. Grant, former President of the United States, until ten o'clock and thirty minutes a.m., Thursday, April 28, 1927.

## IN SENATE.

SENATE CHAMBER,  
SACRAMENTO, Thursday, April 28, 1927.

Pursuant to adjournment, the Senate met at ten o'clock and thirty minutes a.m.

Lieutenant Governor Burton R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, West, and Young—32.

Quorum present.

## PRAYER.

Prayer was offered by the Chaplain, Rev. Bryant Wilson.

## READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 27, 1927, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Crowley was, on motion of Senator Murphy, granted leave of absence for the morning.

Senators Nelson and Taylor were, on motion of Senator Breed, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Canepa, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George W. Peterson of San Francisco, California.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Senators A. H. Favour and F. S. Kimball, Speaker A. M. Crawford and Representatives M. F. Murphy and H. S. McClaskey, Arizona legislators.

On request of Senator Murphy, the privilege of the floor of the Senate Chamber for the day was unanimously extended to John J. Dunn of San Francisco, California.

On request of Senator Rush, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Edward Dinkelspiel of Suisun, California.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. E. A. Evans of Hollywood, California, and Mrs. Milra McKean of Los Angeles, California.

On request of Senator Weller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Alexander W. Van Cott, deputy district attorney, of Los Angeles, California.



On request of Senator Young, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Arthur H. Breed, Jr., of Piedmont, California, and W. C. Mitchell of Sacramento, California.

On request of Senator Cobb, the privilege of the floor of the Senate Chamber for the day was unanimously extended to C. W. Edwards of Fresno, California.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to William Plunkett, attorney for Harbor Commission, of San Francisco, California.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Mrs. Belle I. Goodnow and Mrs. Olive R. Rochester of New York.

On request of Senator Gray, the privilege of the floor of the Senate Chamber for the day was unanimously extended to F. F. Cooper of San Francisco, California.

On request of Senator Kline, the privilege of the floor of the Senate Chamber for the day was unanimously extended to George Radcliff, former chairman of the State Board of Control, and Mrs. Radcliff of Sacramento, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Hon. Frank Carr of Oakland, California, and William Veale of Martinez, California.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

##### ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 533—An act to amend an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, by adding two new sections numbered 2a and 2b.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

##### ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 521—An act to amend section 9 of and to add two new sections to be numbered 4m and 4n to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, relating to the registry of all dealers in seed and verification of origin statements;

Also: Senate Bill No. 639—An act to amend sections 2, 3, 4, 5, 6 and 7 of and to add a new section to be numbered 1m to an act entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as Committee on Conference on Assembly Bill No. 157 Assemblymen Rochester, Little and Byrne, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Lyon, Boggs and Evans as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 157.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 157—An act to amend sections 4, 6, 8 and 13 and to add two new sections to be numbered 2½ and 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvements bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the street improvements—reports that it has met a like committee of the Assembly, consisting of Assemblymen Rochester, Little and Byrne, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

LYON.  
BOGGS.  
EVANS.

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject matter referred to a Committee on Free Conference to be appointed by the President.

COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Pedrotti, Handy and McKinley as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 157.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Assembly Bill No. 157—An act to amend sections 4, 6, 8 and 13 and to add two new sections to be numbered 2½ and 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or

extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the street improvements—recommending the appointment of a Committee on Free Conference, and the following Assemblymen were appointed: Woolwine, Sewell and Carter, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### RESOLUTION.

The following resolution was offered:

By Senator Hurley:

WHEREAS, Within the past two weeks the power and force of nature as exemplified in the great Mississippi River has demonstrated without question of doubt its supremacy over the feeble efforts of man; and

WHEREAS, That great force that has been used by men to assist in the upbuilding of a great empire has gone beyond the control of man and in the short space of a fortnight has devastated and rendered useless that which it has taken many years to build up; and

WHEREAS, Where there existed in the great Mississippi Valley—one of the garden spots of the world—happiness and contentment, there now exists ruin, desolation and extreme suffering, homes and farms destroyed, cities inundated, and families rendered destitute and helpless; therefore be it

*Resolved*, That the Senate of the State of California now in regular session at Sacramento, call upon the residents of this great State to render to our unfortunate fellow citizens of this great Nation such financial assistance as is within their power, it being recognized that because of the great distance in miles that we are incapable of rendering any other than financial assistance; and, be it further

*Resolved*, That we express our regret that our constitution prohibits us from making a direct donation from the State treasury, but that as individuals we will contribute our mite and express to the sufferers of the Mississippi Valley our hope that this disaster will not be of long duration, and we offer up our prayers for a speedy recovery, having faith in our people with proper assistance to overcome that and fully rehabilitate themselves, their homes and farms.

Resolution read, and on motion of Senator Hurley adopted.

#### CONSIDERATION OF DAILY FILE.

#### THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 307—An act to amend section 4260 of the Political Code, relating to the salaries, fees and expenses of officers, their clerks, deputies, stenographers and assistants, in counties of the thirty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 307 passed by the following vote:

AYES—Senators Allen, N. M., Boggs, Breed, Canepa, Cobb, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, and West—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### PRESIDENT PRO TEMPORE IN THE CHAIR.

At ten o'clock and fifty-five minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Assembly Bill No. 915—An act to amend section 1552 of the Political Code, relating to the expenses of the superintendent of schools and his assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 915 refused passage by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, Ray, Kline, Maloney, McKinley, Pedrotti, Swing, Tubbs, and West—21.

Assembly Bill No. 576—An act to amend sections 948 and 949 of the Code of Civil Procedure, and to repeal section 947 of the said code, relating to undertakings upon appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 576 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Weller, and West—20.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 739—An act to add a new section to the Penal Code, to be numbered 737*w*, relating to the salary of superior judge in Contra Costa County.

Bill read third time.

#### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 739, as amended April 21, 1927, to Senator Sharkey, as a Special Committee of One, to amend as follows:

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended April 21, 1927, strike out the word "Penal", and insert in lieu thereof the word "Political".

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 21, 1927, strike out lines 1 and 2 and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered 737*w* is hereby added to the Political Code to read as follows:—

Motion carried.

#### REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 739, with instructions to amend, respectfully reports the same back, amended as per instructions.

**SHARKEY, Special Committee.**

Report read, and on motion of Senator Swing adopted.

Bill ordered to print.



Assembly Bill No. 291—An act to amend sections 6, 9, 10 and 11 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, as amended, relating to cemetery districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 291 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 181—An act to amend section 4235 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 181 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Weller, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 419—An act to amend section 9a13 of an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California and repealing an act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to the salary of the county librarian in the counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 419 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 474—An act to amend section 2322x6 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies, inspectors, and clerks of the counties of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 474 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Fellom, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 925—An act to amend section 103½ of the Code of Civil Procedure, relating to the appointment, duties and compensation of clerks of city justice's courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes.

RE-REFERENCE OF ASSEMBLY BILL.

On motion of Senator Boggs, Assembly Bill No. 925 was ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1292—An act authorizing the State Board of Prison Directors to transfer to the California Highway Commission from the appropriations for the support of San Quentin Prison or Folsom Prison an amount or amounts, not to exceed one hundred thousand dollars, for the purpose of providing compensation for such convicts as may be in the custody of the California Highway Commission in accordance with the provisions of an act entitled "An act authorizing the use of convict labor on State Highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith, approved June 9, 1923," as amended, and as the same may be amended from time to time.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1292 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1224—An act appropriating money to pay the claim of Tryon and Brain against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1224 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 74—An act to amend section 736a of the Political Code, relating to the salaries of the justices of the district courts of appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 74 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1275—An act to appropriate money to pay the necessary expenses of the legislative committee appointed pursuant to provisions of Assembly Concurrent Resolution No. 30, adopted at the forty-seventh session of the Legislature, expenses incurred in employment of clerical or other help thereof, witness fees and other miscellaneous expenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1275 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 167—An act to provide for the maintenance of schools for the children of migratory laborers engaged in seasonal industries in the rural districts of the State and making an appropriation therefor, and creating a revolving fund and providing for the apportionment of school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 167 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 613—An act to provide for the promotion and maintenance of classes for children with defective speech, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 613 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1056—An act making appropriation to pay the claim of Thomas B. Dozier against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1056 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Jones, Ray; Kline, Lyon, Maloney, McKinney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1251—An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1251 passed by the following vote:

AYES—Senators Baker, Boggs, Breed, Canepa, Christian, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, and West—27.

NOES—Senators Allen, J. M., Allen, N. M., Cobb, Evans, and Lyon—5.

Title read and approved.

Bill ordered transmitted to the Assembly.



## RECESS.

At eleven o'clock and thirty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of eleven o'clock and thirty-five minutes a.m.

## RECONVENED.

At eleven o'clock and thirty-five minutes a.m., the Senate reconvened.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

## THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 681—An act appropriating money to be used for the purchase of dam sites and other necessary land to restrain tailings from hydraulic mining operations and for engineering investigations in connection therewith.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Boggs moved to refer Assembly Bill No. 681, as amended April 1, 1927, to Senator Murphy, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended April 1, 1927, strike out lines 1 to 4, inclusive, of said title, and insert in lieu thereof the following:

An act appropriating money to investigate the feasibility of resuming the business of hydraulic mining in California, creating a commission therefor and defining the powers and duties of said commission and of the state board of control in respect thereto.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 1, 1927, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

SECTION 1. The sum of fifteen thousand dollars or so much thereof as may be necessary is hereby appropriated out of any money in the state treasury not otherwise appropriated to be expended in accordance with law under the supervision and control of the state board of control for the purpose of investigating the feasibility of resuming the business of hydraulic mining in this state. There shall be appointed by the governor for this purpose a commission of three persons, one representing the mining interests, one representing the reclaimed land farming interests of the Sacramento valley and one who shall be suggested by the California debris commission and who shall be representative of the navigation interests of the federal government. This commission shall meet in Sacramento in suitable quarters assigned for their purposes and shall have power to employ and fix the compensation of such help as may be necessary to fully investigate the matter at issue and report their findings to the session of the Legislature which will convene in January, 1929, not later than the first week of said session.

The members of this commission shall serve without compensation for their services but shall be entitled to receive the actual necessary expenses incurred by them in the performance of their duties.

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Murphy, Christian and Ingram upon the adoption of the motion to refer to Special Committee of One. Whereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Allen, N. M., Boggs, Cobb, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Murphy, Rush, Slater, Waggy, and Young—17.

NOES—Senators Allen, J. M., Baker, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Gray, Hurley, Ingram, Lyon, Maloney, McKinley, Mueller, Pedrotti, Swing, Tubbs, Weller, and West—20.

The question being on the passage of the bill.  
The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Christian moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—32.

The Secretary announced the absentees.

Time, one o'clock p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At one o'clock and five minutes p.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 607—An act to add a new section to the Political Code to be numbered 4184, creating the office of public guardian.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 607 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR IN THE CHAIR.

At one o'clock and ten minutes p.m., Lieutenant Governor Buron R. Fitts, president of the Senate, in the chair.

Assembly Bill No. 171—An act to amend section 5 of the Hide and Brand Law, relating to revocation of licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 171 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman,

Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Slater, Tubbs, Wagy, Weller, West, and Young—31.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 255—An act to add a new section to the Penal Code, to be numbered 536c, relating to the handling of farm products on consignment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 255 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—Senator Canepa—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1288—An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general coordinated plan.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1288 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1166—An act to amend section 37 of an act entitled "An act to be known as the 'Pacific Colony Act' to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons; to provide for the government and maintenance thereof; and for the study of mental deficiency and related problems; to provide for admission and commitment to such institution, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act; to provide for the sterilization of inmates of such institutions; to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates; or concealing inmates thereof; to provide a contingent fund for the use of such institution and to make an appropriation therefor." approved June 1, 1917, as amended, relating to disposition of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1166 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—32.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1289—An act to amend section 9 of an act entitled "An act providing for farm and home aid for veterans, defining the powers and duties of the Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to powers and duties of Veterans' Welfare Board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1289 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1080—An act to amend sections 1, 3, 4, 6, 7, 8 and 9 of an act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925, and to add thereto a new section to be numbered 13, relating to licenses for the operation of motor vehicles for transportation for hire or compensation, reports on such operations, the assessment of such operations, certain exemptions and the procedure relating to refunds of taxes or the cancellation of any assessment levied under the provisions of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1080 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 803—An act to amend sections 2a, 7, 11, 14, 14a, 14d, 15½, 36, 37 and 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled



'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 803 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Canepa, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1058—An act to regulate the sale and issuance of licenses to take Pismo clams for purposes other than for sale or profit in order to provide revenue therefrom for the preservation, protection and restoration of Pismo clams, and to provide penalties for the violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1058 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 650—An act to amend section 632 of the Penal Code, relating to the protection of fish; and to repeal section 633 of the Penal Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 650 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Wagy, Weller, West, and Young—33.

NOES—Tubbs—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1244—An act to amend the title and sections 2, 3, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 23, 24, and 26 and to repeal sections 12 and 29 of an act entitled "An act to empower the State Market Director of California to regulate and control the business of buying and selling fresh fish; to regulate the destruction of food fish; to create

a State Fish Exchange; to license those engaged in marketing fish; to create a State Fish Exchange Fund and a revolving fund; to provide penalties for violations of this act; to investigate and report on the fish industry; and to promote the sale of fish," approved June 1, 1917, relating to license fees and the administration of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1244 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1163—An act to amend section 3664c of the Political Code, relating to the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1163 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Wagy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 959—An act authorizing the State Director of Institutions, with the approval of the State Board of Control, to grant to the county of San Bernardino for highway and road purposes the use of certain lands belonging to the State of California situated in San Bernardino.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 959 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Rush, Slater, Wagy, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Christian.

The Secretary was directed to call the roll on the passage of Assembly Bill No. 681.

The roll was called, and Assembly Bill No. 681 refused passage by the following vote:

AYES—Senators Allen, J. M., Baker, Canepa, Chamberlin, Christian, Crowley, Evans, Gray, Hurley, Ingram, Lyon, Maloney, McKinley, Mueller, Pedrotti, Sharkey, Swing, Tubbs, Weller, and West—20.

NOES—Senators Allen, N. M., Boggs, Breed, Cobb, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Murphy, Rush, Slater, Wag, and Young—18.

Assembly Bill No. 1031—An act to amend section 26 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to subrogation procedure in workmen's compensation cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1031 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Wag, Weller, West, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 762—An act to amend section 594½ of the Political Code, relating to organizations which grant annuities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 762 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Wag, Weller, West, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 997—An act to modify the elective provisions of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, with respect to acceptance of the provisions of said act by persons engaged in farm, dairy, agricultural, viticultural or horticultural employments and in stock or poultry raising by providing that employers and employees in such employment shall be presumed to have accepted the provisions of said act unless either employer or employee shall have made and filed a notice of rejection of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 997 passed by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, and West—25.  
**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At one o'clock and twenty-five minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until two o'clock and twenty-five minutes p.m.

RECONVENED.

At two o'clock and twenty-five minutes p.m., the Senate reconvened.

LIEUTENANT GOVERNOR BURON R. FITTS, PRESIDENT OF THE SENATE,  
 IN THE CHAIR.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 293. An act to amend section 4233 of the Political Code, relating to the salaries and expenses of officers of counties of the fourth class, and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk of Assembly.  
 By C. W. BOOTH, Assistant Clerk.

The question being: Shall the Senate recede from Senate amendments to Assembly Bill No. 293?

The roll was called, and the Senate receded from Senate amendments to Assembly Bill No. 293 by the following vote:

**AYES**—Senators Allen, J. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Hollister, Inman, Johnson, Jones, H. C. Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, and Wagy—22.  
**NOES**—None.

Assembly Bill No. 293 ordered transmitted to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 327. An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914, and appointed Assemblymen Snyder, Fisher and Brock as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE. -

The President announced the appointment of Senators McKinley, Murphy and Crowley as a Committee on Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 327.



## REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914, reports that it has met a like committee of the Assembly, consisting of Assemblymen Snyder, Fisher and Brock, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

McKINLEY.

MURPHY.

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject matter referred to a Committee on Free Conference to be appointed by the President.

## COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Baker, Handy and Evans as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Senate Bill No. 327.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 585. An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plats for penalties for non-conformance thereto, that building permits shall conform to official master plans, for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties, and appointed Assemblymen Davis, Baum and Oliva, as a Committee on Conference, to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

## APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Weller, Evans and Kline as a Committee on Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 585.

## REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plats for penalties for non-conformance thereto, that building permits shall conform to official master plans, for establishing and enforcing future street lines, for the appointment of regional

planning commissions and prescribing their powers and duties—reports that it has met a like committee of the Assembly, consisting of Assemblymen Davis, Baum and Oliva, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

WELLER,  
EVANS,  
KLINE.

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject matter referred to a Committee on Free Conference to be appointed by the President.

#### COMMITTEE ON FREE CONFERENCE APPOINTED.

The president announced the appointment of Senators Gray, Wagy and McKinley as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly amendments to Senate Bill No. 585.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

#### SENATOR MURPHY IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Murphy of the Twenty-fourth District was called to the chair.

#### REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

#### SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 157—An act to amend sections 4, 6, 8 and 13 and to add two new sections to be numbered 24 and 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the street improvements—report we have met a like committee of the Assembly, consisting of Assemblymen Woolwine, Carter and Sewell, and we report that the Committee on Free Conference have agreed, and recommend that the Assembly concur in the Senate amendments and that Assembly Bill No. 157 be further amended to read as follows:

#### AMENDMENT NUMBER ONE.

Strike out line 2 of the title of said bill, and insert in lieu thereof the following: "add a new section to be numbered".

#### AMENDMENT NUMBER TWO.

In line 20 of the title of said bill, following the word "the", insert the following: "making of".

#### AMENDMENT NUMBER THREE.

On page 9, line 27, of the printed bill, strike out the following: "and/or", and insert in lieu thereof the word "or".

#### AMENDMENT NUMBER FOUR.

On page 10, line 14, of the printed bill, strike out the following: "and/or", and insert in lieu thereof the word "or".

#### AMENDMENT NUMBER FIVE.

On page 10, line 22, of the printed bill, strike out the following: "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER SIX.

On page 10, line 26, of the printed bill, strike out the following: "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER SEVEN.

On page 10, line 34, of the printed bill, strike out the following: "and/or", and insert in lieu thereof the word "or".

## AMENDMENT NUMBER EIGHT.

On page 10, line 35, of the printed bill, strike out the following: "and/or", and insert in lieu thereof the word "or".

PEDROTTI,  
HANDY,  
McKINLEY,

Senate Committee on Free Conference.

WOOLWINE,  
CARTER,  
SEWELL.

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and the amendments.

The roll was called, and the report of Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy and Young—26.  
NOES—None.

Assembly Bill No. 157 and report of Committee on Free Conference ordered transmitted to the Assembly.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1243—An act to be known as the Loan Brokers' Act, to regulate the fees, charges, commissions or compensation of real estate and personal loan brokers and providing penalties for violations thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership—14; committee vote: Ayes—7; noes—2; absent—5.

JONES, H. C., Chairman.

Assembly Bill No. 1243 ordered on file for second reading.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 36—Relative to expenses of legislative committee appointed pursuant to Assembly Concurrent Resolution No. 16, chapter XXX of resolutions, Statutes of 1927.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Assembly Concurrent Resolution No. 36 referred to Committee on Contingent Expenses.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing

for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended and approved May 23, 1925;

Also: Senate Bill No. 88—An act to amend sections 1044, 1083b, 1096, 1096a, 1125, 1151, 1192, 1195b, 1204, 1205, 1210, 1261, 1262, 1264, 1265 of the Political Code, relating to registration of electors and conduct of elections;

Also: Senate Bill No. 162—An act concerning aeronautics and to make uniform the law with reference thereto;

Also: Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 3, 88, 162 and 372 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 742—An act to amend section 548 of the Code of Civil Procedure, relating to property under attachments;

Also: Senate Bill No. 761—An act to amend section 47 of the Civil Code, relating to privileged publications;

Also: Senate Bill No. 803—An act to amend chapter IV of title I of part III of the Political Code by amending section 726 thereof and adding thereto a new section to be known as 727, to relate to the judicial council and the duty of county clerks and clerks of the various courts;

Also: Senate Bill No. 822—An act to provide for the creation of a commission for the study of the problem of public education beyond the elementary grade in California, and providing an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 742, 761, 803 and 822 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 394—An act to amend sections 954 and 956 of the Penal Code, relating to pleadings and form of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 460—An act to amend section 628b of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents;

Also: Senate Bill No. 685—An act to repeal chapter III of title X of part IV, division III of the Civil Code, and to add a new chapter III of part IV, division III, in place thereof, all relating to limited partnerships, and to make the law relating to limited partnerships uniform with the law of other states;

Also: Senate Bill No. 686—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III, of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 394, 460, 620, 685 and 686 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following:

Senate Concurrent Resolution No. 29—Relative to an investigation of the subject of convict labor;



Also: Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article XVI thereof a new section to be numbered 7, authorizing the issuance and sale of six thousand bonds of the State of California in the denomination of \$1,000 each, authorizing the disposition of the proceeds of the sale of said bonds for certain purposes, and approving, adopting, legalizing, validating and making fully and completely effective the California State Park Bonds Act of 1927 as passed by the Senate and Assembly at the forty-seventh session of the Legislature and approved by the Governor;

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by repealing the first numbered section 11 of article VI, proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 4, 1924, by amending sections 3, 4, 5 and 13 of said article and by adding to said article new sections to be numbered 4a, 4b, 4c and 11a, relating to courts of record and inferior courts.

ARTHUR A. OHNIMUS, Chief Clerk,  
By THOMAS ROBINSON, Assistant Clerk.

Senate Concurrent Resolution No. 29 and Senate Constitutional Amendments Nos. 33 and 12 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents;

Also: Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts;

Also: Assembly Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 25, 132 and 343 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 499—An act to authorize the repayment of money paid or collected by error or mistake or under an unconstitutional law;

Also: Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a Fruit and Vegetable Certification Fund and revolving fund for the purpose of carrying out the provisions of this act;

Also: Senate Bill No. 731—An act to provide for declarations of intention concerning street and highway opening and widening and the establishment of future street lines by any county, city or city and county or by the State of California along any present or proposed street or highway.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 499, 579 and 731 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and other timber products by persons who by their own labor, or by using their live stock, machinery or appliances, or both, assist in felling, preparing, or transporting logs or in manufacturing lumber or other timber products from such logs, providing for liens by which the owner of such logs and products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and other timber products by persons who by their own labor, or by using their live stock, machinery or appliances, or both, assist in felling, preparing, or transporting logs or in manufacturing lumber or other timber products from such logs, providing for means by which the owner of such logs and products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-THREE.

##### AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, strike out the following: "/or".

##### AMENDMENT NUMBER TWO.

On page 1, line 3, of the title of the printed bill, strike out the following: "and/".

##### AMENDMENT NUMBER THREE.

On page 1, line 4, of the title of the printed bill, strike out the following: "and/".

##### AMENDMENT NUMBER FOUR.

On page 1, line 4, of the title of the printed bill, insert after the comma following the word "appliances", the following: "or both,".

##### AMENDMENT NUMBER FIVE.

On page 1, line 5, of the title of the printed bill, strike out the following: "and/".

##### AMENDMENT NUMBER SIX.

On page 1, line 6, of the title of the printed bill, strike out the following: "and/". in both places where same occurs in this line.

## AMENDMENT NUMBER SEVEN.

On page 1, line 8, of the title of the printed bill, strike out the following: "/or".

## AMENDMENT NUMBER EIGHT.

On page 1, line 3, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER NINE.

On page 1, line 4, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TEN.

On page 1, line 4, of the printed bill, insert before the word "do", the following: "or both,".

## AMENDMENT NUMBER ELEVEN.

On page 1, line 5, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWELVE.

On page 1, line 6, of the printed bill, strike out the following: "and/", in both places where it occurs in this line.

## AMENDMENT NUMBER THIRTEEN.

On page 1, line 7, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER FOURTEEN.

On page 2, line 2, of the printed bill, strike out the following: "/or", in the three places it occurs in this line.

## AMENDMENT NUMBER FIFTEEN.

On page 2, line 3, of the printed bill, strike out the following: "or/".

## AMENDMENT NUMBER SIXTEEN.

On page 2, line 5, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER SEVENTEEN.

On page 2, line 7, of the printed bill, strike out the following: "/or".

## AMENDMENT NUMBER EIGHTEEN.

On page 2, line 8, of the printed bill, strike out the following: "/or".

## AMENDMENT NUMBER NINETEEN.

On page 2, line 8, of the printed bill, insert immediately preceding the word "whether", the following: "or both,".

## AMENDMENT NUMBER TWENTY.

On page 2, line 9, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 13, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 14, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 20, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-FOUR.

On page 2, line 26, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 31, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-SIX.

On page 2, line 34, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 2, line 37, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 2, line 39, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER TWENTY-NINE.

On page 2, line 44, of the printed bill, strike out the following: "and/", in both places where it occurs in this line.

## AMENDMENT NUMBER THIRTY.

On page 2, line 52, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER THIRTY-ONE.

On page 3, lines 1, 8, 9, 11 and 12, of the printed bill, strike out the following: "and/".

AMENDMENT NUMBER THIRTY-TWO.

On page 3, line 13, of the printed bill, after the word "persons", insert the following: ", and their assigns or successors in interest."

AMENDMENT NUMBER THIRTY-THREE.

On page 3, line 19, of the printed bill, strike out the following: "and/".

AMENDMENT NUMBER THIRTY-FOUR.

On page 3, lines 21, 23, 24 and 31, of the printed bill, strike out the following "/or".

AMENDMENT NUMBER THIRTY-FIVE.

On page 3, lines 41 and 44, of the printed bill, strike out the following: "and/".

AMENDMENT NUMBER THIRTY-SIX.

On page 3, line 46, of the printed bill, strike out the period after the word "same", and insert in lieu thereof the following: ", in which case the lien continues in force until the said lien foreclosure suit is finally determined and closed, and in case such proceeding be not prosecuted to trial within two years after the commencement thereof, the court may in its discretion dismiss the same for want of prosecution".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 3, line 51, of the printed bill, strike out the following: "/or".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 4, lines 4, 5, 6, 7, 8, 10 and 11, of the printed bill, strike out the following: "and/", in each place it occurs in these lines.

AMENDMENT NUMBER THIRTY-NINE.

On page 4, line 18, of the printed bill, after the word "Whenever", insert the word "upon".

AMENDMENT NUMBER FORTY.

On page 4, line 23, of the printed bill, strike out the following: "and/".

AMENDMENT NUMBER FORTY-ONE.

On page 4, line 26, of the printed bill, strike out the following: "/or".

AMENDMENT NUMBER FORTY-TWO.

On page 4, lines 31, 32 and 34, of the printed bill, strike out the following: "and/".

AMENDMENT NUMBER FORTY-THREE.

On page 2, line 5, of the printed bill, insert after the word "done", the words "or service was rendered".

AMENDMENT NUMBER FORTY-FOUR.

On page 2, line 9, of the printed bill, insert after the word "whether", the words "said work was done or service was rendered".

AMENDMENT NUMBER FORTY-FIVE.

On page 4, line 13, of the printed bill, strike out the word "and" following the word "labor", and insert in lieu thereof the word "or".

AMENDMENT NUMBER FORTY-SIX.

On page 4, line 14, of the printed bill, insert after the word "appliances", the following: ", or both".

AMENDMENT NUMBER FORTY-SEVEN.

On page 4, line 15, of the printed bill, strike out the words "manufactured lumber", and insert in lieu thereof the words "in manufacturing the said lumber".

AMENDMENT NUMBER FORTY-EIGHT.

On page 4, line 16, of the printed bill, insert after the word "products", the following: ", or both".

AMENDMENT NUMBER FORTY-NINE.

On page 4, line 21, of the printed bill, insert after the word "appliances", the following: ", as the case may be".

AMENDMENT NUMBER FIFTY.

On page 5, line 7, of the printed bill, strike out the following: "April 12", and insert in lieu thereof the following: "March 30".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 83?



The roll was called, and Assembly amendments to Senate Bill No. 83 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 83 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the judicial council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SEVENTY-SIX.

##### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended April 15, 1927, strike out the semicolon and the words "the state" in line 6; also strike out all of lines 7 to 13, inclusive, on said page 2, and insert in lieu thereof a semicolon and the following:

(a) The state shall pay a portion of such extra compensation of a superior judge equal to the difference between the amount which the state pays toward the salary of such judge, and the amount which the state pays toward the salary of a judge of the superior court in the county to which such judge is assigned;

(b) The county to which a superior judge is assigned shall pay a portion of such extra compensation equal to the difference between the amount paid toward the salary of such judge by the county from which he is assigned, and the amount paid by the county toward the salary of a superior judge in the county to which he is assigned;

(c) Of the extra compensation of a justice of the peace or of a judge of a municipal or other court of lower jurisdiction than the superior court, assigned to a superior court, the state shall pay the same proportion that it pays of the salary of a judge of such superior court, the remainder of such extra compensation to be paid by the county in and for which is held the superior court to which such justice or judge is assigned;

(d) The expenses of each judge or justice of the peace assigned to a superior court in a county other than that in which he regularly sits shall be borne by the state and the county to which assigned, in the same proportions as the extra compensation of such judge or justice of the peace, and shall be audited and paid according to rules prescribed by the state board of control for the presentation, audit and payment of such expenses;

(e) The state controller and the auditor of each county or city and county shall be and are hereby authorized to draw their warrants in accordance with such rules, for the payment of extra compensation or expenses provided in this section;

(f) The payment by the state toward such extra compensation and expenses shall be made from the moneys appropriated for the support of the judicial council. The payment by the county or city and county toward such extra compensation and expenses shall be made from the same fund as salaries and expenses of officers of the county or city and county are made.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended April 15, 1927, in lines 25 and 26, strike out the words "its general fund.", and insert in lieu thereof the following: "the same fund as salaries and expenses of officers of the county or city and county are made."

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended April 15, 1927, in lines 27 and 28, strike out the words "justices, judges and justices of the peace", and insert in lieu thereof the following: "justices and judges".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 576?

The roll was called, and Assembly amendments to Senate Bill No. 576 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Bill No. 576 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the fish and game commissioners—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the Fish and Game Commissioners.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, strike out the period, and insert in lieu thereof a comma, and the following: "and every deputy so appointed, receiving a salary of less than twenty-five dollars a month, except employees of the federal government and emergency employees for a limited period on a per diem basis, shall furnish to the State of California a surety bond in the sum of two thousand five hundred dollars (\$2,500) for the faithful performance of his duties and the premium on such bond shall be paid out of the fish and game preservation fund."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 605?

The roll was called, and Assembly amendment to Senate Bill No. 605 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Bill No. 605 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FORTY-FOUR.

## AMENDMENT NUMBER ONE.

On page 2, line 22, of the printed bill, after the word "lieu", insert the "of".

## AMENDMENT NUMBER TWO.

On page 2, line 51, of the printed bill, after the word "and", insert the word "stating" followed by a comma.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 544?

The roll was called, and Assembly amendments to Senate Bill No. 544 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Bill No. 544 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in, and when and how it may be withdrawn—and respectfully requests your honorable body to concur in said amendments.

• ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in, and when and how it may be withdrawn.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWENTY-ONE.

## AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "physicallly", and insert in lieu thereof the word "physically".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 21?

The roll was called, and Assembly amendment to Senate Bill No. 21 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Bill No. 21 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 638—An act to amend the California Vehicle Act approved May 30, 1923, as amended and approved May 16,

1925, by amending sections 7, 12, 19, 28, 31, 36, 42, 46, 47, 55, 57, 58, 60, 63, 69, 73, 78, 85, 90, 96, 100, 101, 104, 108, 112, 113, 114, 115, 116, 117, 118, 142, 147, 148, 151, 154, and 159, and by adding thereto new sections to be numbered 7 $\frac{1}{2}$ , 19 $\frac{1}{2}$ , 45 $\frac{1}{2}$ , 77 $\frac{1}{2}$ , and 159 $\frac{1}{2}$ , relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles, the driving or pasturing of live stock on highways, and to the enforcement of said act and the disposition of fees collected under said act and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 638—An act to amend the California Vehicle Act approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 7, 12, 19, 28, 31, 36, 42, 46, 47, 55, 57, 58, 60, 63, 69, 73, 78, 85, 90, 96, 100, 101, 104, 108, 112, 113, 114, 115, 116, 117, 118, 142, 147, 148, 151, 154 and 159, and by adding thereto new sections to be numbered 7 $\frac{1}{2}$ , 19 $\frac{1}{2}$ , 45 $\frac{1}{2}$ , 77 $\frac{1}{2}$  and 159 $\frac{1}{2}$ , relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles, the driving or pasturing of live stock on highways, and to the enforcement of said act and the disposition of fees collected under said act.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED THIRTY-EIGHT.

##### AMENDMENT NUMBER ONE.

On page 19 of the printed bill, as amended in the Assembly April 20, 1927, strike out lines 39 to 45, both inclusive.

##### AMENDMENT NUMBER TWO.

On page 24, line 21, of the printed bill, as amended in the Assembly April 20, 1927, strike out the word "shall", and insert in lieu thereof the word "may".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 638?

The roll was called, and Assembly amendments to Senate Bill No. 638 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 638 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in applications therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or



accepting any interest therein without permission from the commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in applications therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FORTY-FOUR.

##### AMENDMENT NUMBER ONE.

On page 2, line 42, of the printed bill, strike out the following: "and/".

##### AMENDMENT NUMBER TWO.

On page 2, line 45, of the printed bill, strike out the following: "and/".

##### AMENDMENT NUMBER THREE.

On page 2, line 48, of the printed bill, strike out the following: "and/".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 44?

The roll was called, and Assembly amendments to Senate Bill No. 44 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 44 ordered to enrollment.

Also:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 800—An act to amend section 349 of the Political Code, relating to the location of the offices of the departments and the residence of the heads thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 800—An act to amend section 349 of the Political Code, relating to the location of the offices of the departments and the residences of the heads thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED.

AMENDMENT NUMBER ONE.

In line 16 of the printed bill, as amended in the Senate April 1, 1927, strike out the word "its", and insert in place thereof the word "an".

AMENDMENT NUMBER TWO.

In lines 16 and 17 of the printed bill, as amended in the Senate April 1, 1927, strike out the words "head of each office or department", and insert in place thereof the following: "director of each department who is a member of the governor's council.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 800?

The roll was called, and Assembly amendments to Senate Bill No. 800 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Bill No. 800 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 767—An act to amend section 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'NIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 767—An act to amend section 6½ of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places, and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED SIXTY-SEVEN.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "sections five and", and insert in lieu thereof the word "section".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the numeral "5", and insert in lieu thereof the words "six and one-half".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, beginning with line 6 thereof, strike out all printed matter down to and including line 10 on page 4.

AMENDMENT NUMBER FOUR.

On page 6, line 8, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER FIVE.

On page 6, line 46, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER SIX.

On page 7, line 2, of the printed bill, strike out the following: "and. ".

## AMENDMENT NUMBER SEVEN.

On page 7, line 5, of the printed bill, strike out the following: "and./".

## AMENDMENT NUMBER EIGHT.

On page 7, line 13, of the printed bill, strike out the following: "and/".

## AMENDMENT NUMBER NINE.

On page 7, line 14, of the printed bill, strike out the following: "and ".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 767?

The roll was called, and Assembly amendments to Senate Bill No. 767 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 767 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 834—An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 834—An act to amend section 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED THIRTY-FOUR.

## AMENDMENT NUMBER ONE.

On page 2, lines 12, 13 and 14, of the printed bill, strike out the words "such body or the cremated remains of such body without a removal or transit permit as in this

act provided. He", and insert in lieu thereof the words "any interred body or the cremated remains of a body, unless a permit therefor has been issued by the local registrar of the district in which the said premises are located, and delivered to him. Any person entitled by law to remove an interred dead body or to remove the cremated remains of a dead body may apply to the local registrar for a permit to remove such interred body or the cremated remains of such body, as the case may be, and the local registrar shall forthwith issue such permit, retaining a copy thereof, for which he shall receive a fee of fifty cents to be paid him by the applicant for the permit, such fee to be in addition to the compensation provided in section 20 of this act; and the collection of such fee by the local registrar shall not be construed as in conflict with the provisions of section 5 of this act. Every person in charge of any premises on which interments or cremations are made".

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, after the word "inter," insert the word "cremate,".

AMENDMENT NUMBER THREE.

On page 2, lines 34 and 35, of the printed bill, strike out the words "or the cremated remains of such body".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, line 36, strike out the words: "or the cremated remains of such body".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, lines 38 and 39, strike out the words: "or from the cemetery or crematory to which such body has been delivered".

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, line 42, strike out the words: "or cremation".

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, line 43, strike out the words: "or the cremated remains of such body".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, line 43, after the word "found," insert the words: "or shall remove an interred human body or the interred cremated remains of a human body from the cemetery in which the interment occurred; or shall remove the cremated remains of a dead body from the premises on which the cremation occurred without the authority of a removal permit as provided in section 11 of this act;".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 834?

The roll was called, and Assembly amendments to Senate Bill No. 834 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 834 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 6, relative to the issuance of bonds to the amount of ten million dollars for the acquisition of rights of way for railroad grade separations on the roads within the State Highway System of the State of California, and for the construction of said railroad grade separations by the California Highway Commission—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.



## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section, to be numbered 4, relative to the issuance of bonds to the amount of \$10,000,000 for the acquisition of rights of way for the railroad grade separations on the roads within the State highway system of the State of California, and for the construction of said railroad grade separations by the California Highway Commission.

## ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER EIGHTEEN.

## AMENDMENT NUMBER ONE.

In line 4 of the title of the printed constitutional amendment, as amended April 4, 1927, strike out the word "four", and insert in lieu thereof the word "six".

## AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed constitutional amendment, as amended April 4, 1927, strike out the figure "4", and insert in lieu thereof the figure "6".

The question being: Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 18?

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 18 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Constitutional Amendment No. 18 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," approved March 18, 1885, as amended, providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," approved March 18, 1885, as amended, providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-FIVE.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the double quotation marks following the word "drainage", insert the following: "approved March 18, 1885, as amended."

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "statutes of 1885," and insert in lieu thereof the following: "as amended".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the following: "page 204,".

AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out the following: "revised and".

AMENDMENT NUMBER FIVE.

On page 1, line 4, of the printed bill, strike out the following: "Assessment List, Where Filed. Payment of".

AMENDMENT NUMBER SIX.

On page 1, line 5, of the printed bill, strike out the following: "Charges. Collection of Unpaid Assessments. Sale of Prop-".

AMENDMENT NUMBER SEVEN.

On page 1, line 6, of the printed bill, strike out the following: "erty. Purchase by District. Redemption."

AMENDMENT NUMBER EIGHT.

On page 1, lines 10 and 11, of the printed bill, strike out the word "commissions", and insert in lieu thereof the word "commissioners".

AMENDMENT NUMBER NINE.

On page 1, line 13, of the printed bill, strike out the following: "Lien of Assessment."

AMENDMENT NUMBER TEN.

On page 1, line 18, of the printed bill, strike out the following: "Payment of Charges."

AMENDMENT NUMBER ELEVEN.

On page 2, line 2, of the printed bill, after the second word "the", insert the following: "board of".

AMENDMENT NUMBER TWELVE.

On page 2, line 9, of the printed bill, strike out the following: "Interest on Unpaid Assessments."

AMENDMENT NUMBER THIRTEEN.

On page 2, line 45, of the printed bill, strike out the following: "Sale of Property."

AMENDMENT NUMBER FOURTEEN.

On page 3, line 18, of the printed bill, strike out the following: "Purchase by District. Redemption."

AMENDMENT NUMBER FIFTEEN.

On page 3, line 31, of the printed bill, strike out the following: "Failure to Redeem. Sale at Public Auction."

AMENDMENT NUMBER SIXTEEN.

On page 2 of the printed bill, as amended April 15, 1927, strike out lines 10 to 18, inclusive, and insert in lieu thereof the following: "And all unpaid assessments shall bear interest at the rate of seven per cent from the date of the return of the list to said board, and shall thereafter be collected and paid in separate installments, of such amounts, and at such times, respectively, as the said board, from time to time, in its discretion, may, by order entered in its minutes may direct. Upon making such order the secretary shall also enter in the minutes of the board, a notice in substantially the following form:".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 855?

The roll was called, and Assembly amendments to Senate Bill No. 855 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C.,

Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 855 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 788—An act to amend sections 364, 364a, 364b, 364c and 364d of the Political Code and to add new sections to said code to be numbered sections 364e to 364j, inclusive, relating to a Department of Industrial Relations—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 788—An act to amend sections 364, 364a, 364b, 364c and 364d of the Political Code and to add new sections to said code to be numbered sections 364e to 364j, inclusive, relating to a Department of Industrial Relations.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED EIGHTY-EIGHT.

##### AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, as amended in the Senate on April 5, 1927, after the word "commission", insert the following: "which commission is hereby continued in existence".

##### AMENDMENT NUMBER TWO

On page 6, line 26, of the printed bill, as amended in the Senate on April 5, 1927, strike out the word "hereafter", and insert in lieu thereof the words "continue to".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 788?

The roll was called, and Assembly amendments to Senate Bill No. 788 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 788 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 858—An act to provide for the formation, powers, duties, government, and maintenance of sanitary districts in the State; the acquisition, maintenance, improvement, and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 858—An act to provide for the formation, powers, duties, government, and maintenance of sanitary districts in the State; the acquisition, maintenance, improvement, and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and

dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended, in section 1, after the word "of", strike out the words "health and".

AMENDMENT NUMBER THREE.

On page 1, line 2, of the printed bill, as amended, in section 1, strike out the words "health and".

AMENDMENT NUMBER FOUR.

On page 1, line 2, of the printed bill, as amended, in section 1, strike out the lower-case "s" in the word "sanitary", and insert in lieu thereof an upper-case "S".

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, as amended, after the word "no", strike out the words "health and".

AMENDMENT NUMBER SIX.

On page 2, line 18, of the printed bill, as amended, after the words "no", strike out the words "health and".

AMENDMENT NUMBER SEVEN.

On page 2, line 24, of the printed bill, as amended, after the word "proposed", strike out the words "health and".

AMENDMENT NUMBER EIGHT.

On page 2, line 36, of the printed bill, as amended, after the word "a", strike out the words "health and".

AMENDMENT NUMBER NINE.

On page 3, line 1, of the printed bill, as amended, after the word "a", strike out the words "health and".

AMENDMENT NUMBER TEN.

On page 5, line 3, of the printed bill, as amended, after the word "words", strike out the words "health and".

AMENDMENT NUMBER ELEVEN.

On page 5, line 3, of the printed bill, as amended, strike out the lower-case "s" in the word "sanitary", and insert in lieu thereof an upper-case "S".

AMENDMENT NUMBER TWELVE.

On page 5, line 3, of the printed bill, as amended, after the comma following the word "Yes", strike out the words "health and".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 4, of the printed bill, as amended, in the word "sanitary", strike out the lower-case "s", and insert in lieu thereof an upper-case "S".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 13, of the printed bill, as amended, after the word "a", strike out words "health and".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 15, of the printed bill, as amended, after the word "a", strike out the words "health and".

AMENDMENT NUMBER SIXTEEN.

On page 5, line 22, of the printed bill, as amended, after the word "a", strike out the words "health and".

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 27, of the printed bill, as amended, after the word "proposed", strike out the words "health and".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 30, of the printed bill, as amended, after the word "a", strike out the words "health and".



## AMENDMENT NUMBER NINETEEN.

On page 5, line 34, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER TWENTY.

On page 5, line 36, of the printed bill, as amended, after the word "words", strike out the words "Health and".

## AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 44, of the printed bill, as amended, after the word "the", strike out the words "health and".

## AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 51, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 4, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 5, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 10, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 13, of the printed bill, as amended, after the word "such", strike out the words "health and".

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 16, of the printed bill, as amended, after the word "proper", strike out the words "health and".

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 45, of the printed bill, as amended, after the word "managers", strike out the words "health officers".

## AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 1, of the printed bill, as amended, after the word "sanitation", strike out the words "and health".

## AMENDMENT NUMBER THIRTY.

On page 7, line 16, of the printed bill, as amended, after the word "other", strike out the words "health or".

## AMENDMENT NUMBER THIRTY-ONE.

On page 7, line 22, of the printed bill, as amended, after the word "every", strike out the words "health and".

## AMENDMENT NUMBER THIRTY-TWO.

On page 7, line 27, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 29, of the printed bill, as amended, after the words "for garbage collection and disposal", insert a comma after the word "disposal".

## AMENDMENT NUMBER THIRTY-FOUR.

On page 7, lines 31, 32, and 33, of the printed bill, as amended, strike out the words "for the control and promotion of all health matters, protection and betterment within the district".

## AMENDMENT NUMBER THIRTY-FIVE.

On page 7, line 36, of the printed bill, as amended, after the word "the", strike out the words "health or".

## AMENDMENT NUMBER THIRTY-SIX.

On page 7, line 46, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER THIRTY-SEVEN.

On page 8, line 8, of the printed bill, as amended, after the word "mean", strike out the words "health and".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 8, line 11, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER THIRTY-NINE.

On page 8, line 13, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FORTY.

On page 8, line 17, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FORTY-ONE.

On page 8, line 19, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FORTY-TWO.

On page 8, line 22, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FORTY-THREE.

On page 8, line 27, of the printed bill, as amended, after the word "treasurers", insert the following: "relating to matters covered by this act."

AMENDMENT NUMBER FORTY-FOUR.

On page 8, line 29, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FORTY-FIVE.

On page 8, line 33, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FORTY-SIX.

On page 10, line 15, of the printed bill, as amended, after the word "that", strike out the words "health and".

AMENDMENT NUMBER FORTY-SEVEN.

On page 10, line 19, of the printed bill, as amended, after the word "the", strike out the words "health and".

AMENDMENT NUMBER FORTY-EIGHT.

On page 11, line 1, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FORTY-NINE.

On page 11, line 4, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FIFTY.

On page 11 of the printed bill, as amended, strike out the lines 6 to 23, inclusive.

AMENDMENT NUMBER FIFTY-ONE.

On page 11, line 24, of the printed bill, as amended, after the word "of", strike out the words "health and".

AMENDMENT NUMBER FIFTY-TWO.

On page 11, line 29, of the printed bill, as amended, after the word "the", strike out the words "health or".

AMENDMENT NUMBER FIFTY-THREE.

On page 11, lines 42 and 43, of the printed bill, as amended, strike out the words "in so far as such conditions are matters of either health control and regulation, or of sanitary provisions."

AMENDMENT NUMBER FIFTY-FOUR.

On page 11, line 48, of the printed bill, as amended, strike out the words "health and".

AMENDMENT NUMBER FIFTY-FIVE.

On page 11, line 52, of the printed bill, as amended, after the word "those", strike out the words "health or".

AMENDMENT NUMBER FIFTY-SIX.

On page 12, line 1, of the printed bill, as amended, strike out the words "or both,".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 12, line 4, of the printed bill, as amended, after the word "the", strike out the words "health or".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 12, line 19, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER FIFTY-NINE.

On page 12, line 43, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER SIXTY.

On page 12, line 49, of the printed bill, as amended, after the word "mean", strike the words "health and".

## AMENDMENT NUMBER SIXTY-ONE.

On page 12, line 52, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER SIXTY-TWO.

On page 13, line 12, of the printed bill, as amended, after the word "in", strike out the words "health and".

## AMENDMENT NUMBER SIXTY-THREE.

On page 13, line 31, of the printed bill, as amended, after the word "mean", strike out the words "health and".

## AMENDMENT NUMBER SIXTY-FOUR.

On page 13, line 34, of the printed bill, as amended, after the word "mean", strike out the words "health and".

## AMENDMENT NUMBER SIXTY-FIVE.

On page 13, line 36, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER SIXTY-SIX.

On page 13, lines 48, 49 and 50, of the printed bill, as amended, after the semicolon, strike out the word "a health officer who shall be the chief health officer of the county initiating the district or a deputy appointed as hereinafter provided;"

## AMENDMENT NUMBER SIXTY-SEVEN.

On page 14, line 9, of the printed bill, as amended, before the figures "16", insert the word "SEC."

## AMENDMENT NUMBER SIXTY-EIGHT.

On page 14, line 9, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER SIXTY-NINE.

On page 15, line 20, of the printed bill, as amended, after the word "to", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY.

On page 15, lines 23 and 24, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-ONE.

On page 15, line 28, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-TWO.

On page 15, line 29, of the printed bill, as amended, after the word "all", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-THREE.

On page 15, line 32, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-FOUR.

On page 15, line 51, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-FIVE.

On page 16, lines 23 and 24, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-SIX.

On page 16, line 27, of the printed bill, as amended, after the word "it)", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-SEVEN.

On page 16, line 49, of the printed bill, as amended, after the word "such", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-EIGHT.

On page 20, line 26, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER SEVENTY-NINE.

On page 22, line 20, of the printed bill, as amended, after the word "in", strike out the words "health and".

## AMENDMENT NUMBER EIGHTY.

On page 22, line 23, of the printed bill, as amended, after the word "partial", strike out the words "health or".

## AMENDMENT NUMBER EIGHTY-ONE.

On page 23, line 30, of the printed bill, as amended, after the word "collector.", strike out the words "Health and".

## AMENDMENT NUMBER EIGHTY-TWO.

On page 23, line 30, of the printed bill, as amended, in the word "sanitary", strike out lower case "(s)", and insert in lieu thereof upper case "(S)".

## AMENDMENT NUMBER EIGHTY-THREE.

On page 24, line 7, of the printed bill, as amended, after the word "Auditor.", strike out the words "Health and".

## AMENDMENT NUMBER EIGHTY-FOUR.

On page 24, line 7, of the printed bill, as amended, in the word "sanitary", strike out the lower case "(s)", and insert in lieu thereof an upper case "(S)".

## AMENDMENT NUMBER EIGHTY-FIVE.

On page 24, line 20, of the printed bill, as amended, after the word "Treasurer.", strike out the words "Health and".

## AMENDMENT NUMBER EIGHTY-SIX.

On page 24, line 20, of the printed bill, as amended, in the word "sanitary", strike out the lower case "s", and insert in lieu thereof an upper case "S".

## AMENDMENT NUMBER EIGHTY-SEVEN.

On page 25, line 18, of the printed bill, as amended, after the word "Attorney.", strike out the words "Health and".

## AMENDMENT NUMBER EIGHTY-EIGHT.

On page 25, line 18, of the printed bill, as amended, in the word "sanitary", strike out the lower case "s", and insert in lieu thereof an upper case "S".

## AMENDMENT NUMBER EIGHTY-NINE.

On page 25, line 22, of the printed bill, as amended, after the word "be", strike out the word "a", and insert in lieu thereof the word "an".

## AMENDMENT NUMBER NINETY.

On page 25, line 35, of the printed bill, as amended, after the word "all", strike out the word "ordinances", and insert in lieu thereof the word "ordinances".

## AMENDMENT NUMBER NINETY-ONE.

On page 25, line 36, of the printed bill, as amended, after the word "and", strike out the word "instruments", and insert in lieu thereof the word "instruments".

## AMENDMENT NUMBER NINETY-TWO.

On page 26 of the printed bill, as amended, strike out lines 3 to 42, inclusive.

## AMENDMENT NUMBER NINETY-THREE.

On page 28, lines 34 and 35, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER NINETY-FOUR.

On page 28, line 49, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER NINETY-FIVE.

On page 29, line 17, of the printed bill, as amended, after the word "in", strike out the words "health and".

## AMENDMENT NUMBER NINETY-SIX.

On page 29, lines 28 and 29, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER NINETY-SEVEN.

On page 29, line 36, of the printed bill, as amended, after the word "In", strike out the words "health and".

## AMENDMENT NUMBER NINETY-EIGHT.

On page 29, line 45, of the printed bill, as amended, after the word "the", strike out the words "health and".



## AMENDMENT NUMBER NINETY-NINE.

On page 30, line 15, of the printed bill, as amended, after the word "any", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED.

On page 30, line 21, of the printed bill, as amended, strike out the word "health".

## AMENDMENT NUMBER ONE HUNDRED ONE.

On page 30, line 25, of the printed bill, as amended, after the word "the", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWO.

On page 30, line 30, of the printed bill, as amended, after the word "mean", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THREE.

On page 30, line 34, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 30, line 43, of the printed bill, as amended, after the word "In", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 31, lines 18 and 19, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED SIX.

On page 31, line 23, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 31, line 25, of the printed bill, as amended, after the word "by", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 31, line 30, of the printed bill, as amended, after the word "any", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED NINE.

On page 31, line 39, of the printed bill, as amended, after the word "to", strike out the words "have the same force, value and use as bonds issued by any municipality, levee district, or irrigation district, and shall".

## AMENDMENT NUMBER ONE HUNDRED TEN.

On page 31, line 42, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 31, line 50, of the printed bill, as amended, after the word "In", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 32, line 17, of the printed bill, as amended, after the word "any", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 32, line 20, of the printed bill, as amended, strike out the words "Health and sanitary", and insert in lieu thereof the word "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 32, line 24, of the printed bill, as amended, strike out the words "Health and sanitary", and insert in lieu thereof the word "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 32, line 28, of the printed bill, as amended, strike out the words "Health and sanitary", and insert in lieu thereof the word "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 32, line 31, of the printed bill, as amended, strike out the words "Health and sanitary", and insert in lieu thereof the word "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 32, line 34, of the printed bill, as amended, strike out the words "Health and Sanitary", and insert in lieu thereof the word "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 32, line 37, of the printed bill, as amended, strike out the words "Health and sanitary", and insert in lieu thereof the word "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 32, line 42, of the printed bill, as amended, after the word "any", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 33, line 15, of the printed bill, as amended, after the word "In", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 33, line 36, of the printed bill, as amended, after the word "in", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 33 of the printed bill, as amended, strike out lines 47 to 51, inclusive.

## AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 34, line 1, of the printed bill, as amended, strike out the designation "(d)", and insert in lieu thereof the designation "(c)".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 34, lines 16 and 17, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 34, line 46, of the printed bill, as amended, after the word "service", strike out the word "if".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 35, line 6, of the printed bill, as amended, after the word "In", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 35, line 22, of the printed bill, as amended, after the word "any", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 35, line 26, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 35, lines 29 and 30, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 35, lines 31 and 32, of the printed bill, as amended, strike out the words "in health control and promotion".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 35, line 34, of the printed bill, as amended, after the word "public", strike out the word "health".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 35, line 39, of the printed bill, as amended, strike out the words "Health and sanitary", and insert in lieu thereof the word "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 35, line 50, of the printed bill, as amended, after the word "mean", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 36, line 3, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 36, line 6, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 36, line 7, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 36, line 15, of the printed bill, as amended, after the word "mean", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 36, line 19, of the printed bill, as amended, after the word "of", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 36, line 52, of the printed bill, as amended, after the word "the", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 37, line 4, of the printed bill, as amended, after the word "the", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 37, line 46, of the printed bill, as amended, after the word "a", strike out the word "health".

## AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 38, line 21, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 38, line 27, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 38, line 32, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 38, line 34, of the printed bill, as amended, after the word "words", strike out the words "Health and sanitary", and insert in lieu thereof "Sanitary".

## AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 38, line 42, of the printed bill, as amended, after the word "the", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 38, line 49, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 39, line 1, of the printed bill, as amended, after the word "Reorganized", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 39, line 4, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 39, lines 25 and 26, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 39, lines 30 and 31, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 39, line 42, of the printed bill, as amended, after the word "incorporated", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 40, line 4, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 40, line 8, of the printed bill, as amended, after the word "said", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 40, line 13, of the printed bill, as amended, strike out the word "trustees", and insert in lieu thereof "trustees".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 40, line 13, of the printed bill, as amended, after the word "said", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 40, lines 17 and 18, of the printed bill, as amended, strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 40, line 22, of the printed bill, as amended, after the word "the", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 40, line 27, of the printed bill, as amended, after the word "the", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 40, line 34, of the printed bill, as amended, after the word "a", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE.

On page 40, line 43, of the printed bill, as amended, after the word "tial", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 40, line 44, of the printed bill, as amended, after the word "proper", strike out the words "health and".

## AMENDMENT NUMBER ONE HUNDRED SIXTY-THREE.

On page 41, line 11, of the printed bill, as amended, after the word "The", strike out the words "health and".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 858?

The roll was called, and Assembly amendments to Senate Bill No. 858 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Bill No. 858 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to appointment of deputies—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to appointment of deputies.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED SEVENTY-NINE.

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate March 31, 1927, strike out all of lines 3 to 6, inclusive, and insert in lieu thereof the following:

4024. Every county, marshal of municipal court, clerk of municipal court, township, or district officer, except a supervisor or judicial officer, may appoint as many deputies as may be necessary.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 679?



The roll was called, and Assembly amendment to Senate Bill No. 679 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 679 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 226—An act to amend section 4300h of the Political Code, relating to coroners' fees—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 226—An act to amend section 4300h of the Political Code, relating to coroners' fees.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED TWENTY-SIX.

#### AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the comma after the word "dollars", and strike out the words "which fees shall be all", and in line 16 strike out the words "he is entitled to charge.", and insert in lieu thereof a period.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 226?

The roll was called, and Assembly amendment to Senate Bill No. 226 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 226 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 688—An act to amend section 597 of the Political Code, relating to the examiners and examinations of insurance companies—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 688—An act to amend section 204c of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties where there is a secretary of the judges of the superior court.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-EIGHT.

#### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 14 to 21 thereof, and insert in lieu thereof the following: "The salaries herein authorized shall be paid out of the same fund that salaries of other county officers are paid".

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, as amended April 20th, strike out the word "other".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 688?

The roll was called, and Assembly amendments to Senate Bill No. 688 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray: Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 688 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 700—An act to amend section 1663 of the Code of Civil Procedure, relating to the partial distribution of estates of deceased persons, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 700—An act to amend section 1663 of the Code of Civil Procedure, relating to the partial distribution of estates of deceased persons.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED.

AMENDMENT NUMBER ONE.

On page 1, line 21, of the printed bill, as amended April 1, 1927, after the comma following the word "will", insert the following: "or it is for the best interests of the estate, that the estate in this state should be delivered to the executor or administrator in the state or place of the decedent's residence,".

AMENDMENT NUMBER TWO.

On page 1, line 23, of the printed bill, as amended April 1, 1927, after the word "estate", insert a comma.

AMENDMENT NUMBER THREE.

On page 2, line 14, of the printed bill, as amended April 1, 1927, after the comma following the word "interest", insert the following: "or the executor or administrator in the state or place of decedent's residence,".

AMENDMENT NUMBER FOUR.

On page 2, line 15, of the printed bill, as amended April 1, 1927, after the period at the end of said line insert the following: "The delivery, in accordance with the order of the court, is a full discharge of the executor or administrator, in this state, in relation to all property embraced in such order, which, unless reversed on appeal, binds and concludes all parties in interest".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 700?

The roll was called, and Assembly amendments to Senate Bill No. 700 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray: Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 700 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 866—An act to amend section 1523 of the Code of Civil Procedure, relating to the sale of personal property by executors and administrators—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 866—An act to amend section 1523 of the Code of Civil Procedure, relating to the sale of personal property by executors and administrators.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED SIXTY-SIX.

##### AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, as amended April 1, 1927, strike out the following: "without notice other than the notice required by sections 1380, 1761 and 1789 of this code where applicable".

##### AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, as amended April 1, 1927, strike out the words: "Such sale to take", and insert in lieu thereof the following: "Any such sale shall take".

##### AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, as amended April 1, 1927, strike out the parentheses.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 866?

The roll was called, and Assembly amendments to Senate Bill No. 866 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Wagy, West, and Young—27.

NOES—None.

Senate Bill No. 866 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estate to nonresident persons—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estate to nonresident persons.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED FIVE.

##### AMENDMENT NUMBER ONE.

On page 1, line 26, of the printed bill, strike out the word "thereof", and insert in lieu thereof the word "therefor".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 705?

The roll was called, and Assembly amendment to Senate Bill No. 705 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 705 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 641—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 641—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FORTY-ONE.

##### AMENDMENT NUMBER ONE.

After the word "section", in line 1 of the title of the printed bill, as amended in the Senate March 25, 1927, strike out the remainder of the title, and insert in lieu thereof the following: "one thousand two hundred three of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties."

##### AMENDMENT NUMBER TWO.

After the numeral and period "1." strike out all of lines 1 to 9, inclusive, on page 1, and all of page 2 of the printed bill, and insert in lieu thereof the following: Section 1203 of the Penal Code is hereby amended to read as follows:

1203. After the conviction by plea or verdict of guilty of a public offense where discretion is conferred upon the court or any board or commission or other authority as to the extent of the punishment, the court or board or commission or other authority before judgment and sentence and except as hereinafter provided, may upon oral suggestion of either party or of its own motion when it appears that there are circumstances which may properly be taken into view either in aggravation or mitigation of the punishment, may in its discretion refer the same to the probation officer directing said probation officer to investigate and to report, recommending



either for or against release upon probation at a specified time, and the court shall hear the same summarily at that specified time and upon such notice to the adverse party as it may direct. At such specified time if it shall appear from the report furnished by the probation officer or otherwise and from the circumstances, that any person over the age of eighteen years having either pleaded guilty or having been convicted of a public offense, that there are circumstances in mitigation of punishment or that the ends of justice shall be subserved thereby, the court may have power in its discretion to place the defendant upon probation as hereinafter provided; *further provided, however*, that nothing contained in this section shall apply to cases of murder, robbery, burglary, or rape by force and violence, where in the perpetration of such crimes a deadly weapon is used, or the person committing any of the said crimes was armed with a deadly weapon or where, in the perpetration of any such crimes, great bodily injury or torture is inflicted, nor to any person who has been previously convicted of any of said offenses, nor where a public official or employee of the state, county, city, city and county, or other political subdivision thereof in the discharge of the duties of his public office or employment accepts or gives or offers to accept or give a bribe or embezzles public moneys or is guilty of extortion in the discharge of his official duty.

(a) The court, judge or justice thereof, may suspend the imposing, or the execution of sentence and may direct that such suspension may continue for such period of time not exceeding the maximum possible term of such sentence, except as hereinafter set forth, and upon such terms and conditions as it shall determine, which terms and conditions may include, in the discretion of the court, the requirements of bonds for the appearance of the person released upon probation before the court, at any time that the court may require such appearance in the investigation of any alleged violation of said terms and conditions of probation and such bonds may be at any time by the court exonerated without affecting any of the other terms and conditions of such probation; and in the case of such suspension of imposition or execution of sentence, the court shall place such person on probation and under the charge and supervision of the probation officer of said court during such suspension; *provided, however*, that where the maximum possible term of such sentence is less than two years, then such period of suspension of imposition or execution of sentence may, in the discretion of the court, continue for not over two years. Where the offense consists of a violation of section 270 or 270a of the Penal Code of the State of California, such suspension of imposition or execution of sentence may, in the discretion of the court, continue for not over five years.

(b) If the judgment is to pay a fine, and the defendant be imprisoned until it be paid, the court, judge or justice upon imposing sentence, may direct that the execution of the sentence of imprisonment be suspended for such period of time, not exceeding the maximum possible term of such sentence and on such terms as it shall determine, and shall place the defendant on probation, under the charge and supervision of the probation officer during such suspension, to the end that he may be given the opportunity to pay the fine; *provided, however*, that upon the payment of the fine being made, judgment shall be satisfied and the probation cease.

(c) At any time during the probationary term of the person released on probation, in accordance with the provisions of this section, any probation officer may, without warrant, or other process, at any time until the final disposition of the case, rearrest any person so placed in his care and bring him before the court, or the court may, in its discretion, issue a warrant for the rearrest of any such person and may thereupon revoke and terminate such probation, if the interest of justice so requires, and if the court, in its judgment, shall have reason to believe from the report of the probation officer, or otherwise, that the person so placed upon probation is violating the conditions of his probation, or engaging in criminal practices, or has become abandoned to improper associates, or a vicious life. Upon such revocation and termination, the court may, if the sentence has been suspended, pronounce judgment after the said suspension of the sentence for any time within the longest period for which the defendant might have been sentenced but if the judgment has been pronounced and the execution thereof has been suspended, the court may revoke such suspension, whereupon the judgment shall be in full force and effect, and the person shall be delivered over to the proper officer to serve his sentence.

(d) The court shall have power at any time during the term of probation to revoke or modify its order of suspension of imposition or execution of sentence. It may, at any time when the ends of justice will be subserved thereby, and when the good conduct and reform of the person so held on probation shall warrant it, terminate the period of probation and discharge the person so held, but no such order shall be made without written notice first given by the court or the clerk thereof to the proper probation officer of the intention to revoke or modify its order, and in all cases, if the court has not seen fit to revoke the order of probation and impose sentence or pronounce judgment, the defendant shall, at the end of the term of probation, be by the court discharged.

(e) Every defendant who has fulfilled the conditions of his probation for the entire period thereof, or who shall have been discharged from probation prior to the termination of the period thereof, shall at any time prior to the expiration of the maximum period of punishment for the offense of which he has been convicted, dating from said discharge from probation of said termination of said period of probation,

be permitted by the court to withdraw his plea of guilty and enter a plea of not guilty; or if he has been convicted after a plea of not guilty, the court shall set aside the verdict of guilty; and in either case the court shall thereupon dismiss the accusation or information against such defendant, who shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted.

(f) The offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer are hereby created; *provided*, that except as hereinafter specified the probation officers, assistant probation officers and deputy probation officers appointed under an act known as the juvenile court law and entitled "An act to be known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, or under any laws amending or superseding the same shall be *ex officio* adult probation officers, assistant adult probation officers and deputy adult probation officers respectively except in the case of offenses committed in any city and county and also in those counties not operating under a freeholder's charter, and having a population of more than three hundred thousand, as the same is determined by the federal census taken in the year A. D. 1920, in which counties and cities and counties the adult probation officers, assistant and deputy adult probation officers, appointed under subdivision (g) of this section shall serve under this act; *provided, however*, that in all cases of offenses defined by section 21 of said act, known as the juvenile court law, and by section 270 of the Penal Code, the same probation officers, assistants and deputies shall serve under this act as are appointed under said juvenile court law.

(g) In any city and county and in any said county having a population of more than three hundred thousand and not operating under a freeholder's charter, the judges presiding in the departments designated for the hearing and disposition of criminal cases and proceedings by a majority vote shall by order entered in the minutes of the court appoint seven citizens of good moral character to be known as the adult probation board and shall fill all vacancies occurring in such board. The clerk of said court shall immediately notify each person appointed on said board and thereupon said person shall appear before a judge of the superior court and qualify by taking an oath, which shall be entered in said court record, to perform faithfully the duties of such adult probation board. The members of such adult probation board shall hold office for four years, and until their successors are appointed and qualify; *provided*, that of those first appointed one shall hold office for one year, two for two years, two for three years and two for four years, the terms for which the respective members shall hold office to be determined by lot as soon after their appointment as may be. When any vacancy occurs in any probation board by expiration of the term of office of any member thereof, the successor shall be appointed to hold office for the term of four years. When any vacancy occurs for any other reason the appointee shall hold office for the unexpired term of his predecessor. Any member of the probation board may be removed for cause at any time by an affirmative vote of four members of said board at a meeting called for the special purpose of considering the question of said removal and the subsequent written approval of a majority of the said judges designated for the hearing and disposition of criminal cases and proceedings, said written approval to be filed with the clerk of the court within thirty days after the written report of the said board has been received by said judges. Written notice as to said special meeting shall be served on each of the members of said board at least ten days prior to the date set therefor and shall specify the purpose thereof.

It shall be the duty of such adult probation board to exercise a friendly supervision of probationers when so directed by the court to furnish the court information and assistance whenever required upon the request of the court and from time to time to advise and recommend to the court any changes or modifications of the order made in the case of a probationer as may be for the best interests of such person.

Members of the adult probation board shall serve without compensation.

In any city and county there shall be one adult probation officer and nine assistant adult probation officers who shall receive salaries as follows: The adult probation officer three hundred fifty dollars per month; one assistant adult probation officer two hundred seventy-five dollars per month; seven assistant adult probation officers each two hundred ten dollars per month; and one assistant adult probation officer who shall act as cashier and clerk, one hundred ninety dollars per month.

In any county of more than three hundred thousand and not operating under a freeholder's charter, there shall be one adult probation officer, one assistant adult probation officer and two deputy adult probation officers who shall receive the following salaries: adult probation officer, three thousand dollars per annum; assistant adult probation officer, two thousand four hundred dollars per annum; one deputy adult probation officer two thousand one hundred dollars per annum; one deputy adult probation officer, six hundred dollars per annum. One deputy adult probation officer in such county shall be a woman and shall be a competent stenographer and typist of sufficient ability to perform the clerical and stenographic work of the office in addition to her other duties. The salaries of the adult probation officer, assistant and deputies herein provided shall be paid out of the treasury of the county or city and county in which they are appointed in the same manner as the salaries of other county officers. The said adult probation officer, assistant and deputies shall be allowed such necessary incidental expenses incurred in the performance of their duties as required by any law of the State of California as may be authorized by a judge designated for the hearing and disposition of criminal cases and proceedings, or by the judge of a department to which criminal actions and proceedings are assigned, and the same shall be a charge upon the county and said expenses shall be paid out of the county treasury upon the written order of said judge, directing the county auditor to deliver his warrant upon the treasurer for the specified amount of such expenses. The adult probation officer shall keep a list of expenses and file a copy monthly with the board of supervisors.

In any city and county and in said counties having a population of more than three hundred thousand and not operating under a freeholder's charter, the adult probation officer, assistant and deputies hereinbefore provided shall be nominated by the adult probation board and shall be appointed by a majority vote of the judges presiding in the departments designated for the hearing and disposition of criminal cases. The term of office of the adult probation officer, assistant and deputies herein provided for shall be two years from the date of their appointment. The said officers may at any time be removed by a vote of a majority of the judges presiding in the departments designated for the hearing and disposition of criminal cases and proceedings for good cause shown and on the filing of written charges by the said judge or judges with the adult probation officer.

Each adult probation officer, assistant and deputy shall give a bond in the sum of not more than two thousand dollars to be fixed and approved by the judges of the superior court presiding in the departments designated for the hearing and disposition of criminal cases, conditioned for the faithful discharge of the duties of said office. If said bonds are furnished by a surety company licensed to transact business in the State of California, the premium thereon shall be paid out of the county treasury.

The adult probation officer may appoint as many additional deputies as he may desire; *provided, however*, that such deputies shall not have authority to act until their appointment shall be approved by a majority vote of the adult probation board and by a majority vote of the judges presiding in departments designated for the hearing and disposition of criminal cases. The term of office of such deputies shall expire with the term of the adult probation officer making such appointment, but the adult probation officer may at any time in his discretion revoke and terminate such appointment. Such deputies, except as herein provided, shall serve without compensation. Board of supervisors of cities and counties and of counties having a population of more than three hundred thousand and not operating under a freeholder's charter, shall provide and maintain at the expense of such county or city and county in a location in the vicinity of the county jail suitable offices and quarters for the adult probation officer. Nothing contained in this subdivision shall apply to the offenses defined by section 21 of the said juvenile court law and by section 270 of the Penal Code.

(h) Whenever any person is released upon probation under the provisions of this act, the case may be transferred to any court of the same rank in any other county, or city, and county, of this State in which such person resides, or to which such person may remove, and such court shall thereupon commit such person to the care and custody of the probation officer of the county, or city and county to which such person has been transferred; such court shall thereafter have entire jurisdiction over such case, with like power to make transfer whenever to such court such transfer may seem proper.

(i) At the time of the plea or verdict of guilty of any crime of any person over eighteen years of age, the probation officer of the county of the jurisdiction of said crime shall, when so directed by the court, inquire into the antecedents, character, history, family environment, and offense of such person, and must report the same to the court, and file his report in writing in the records of said court. His report shall contain his recommendation for or against the release of such person on probation. If any such person shall be released on probation and committed to the care of the probation officer such officer shall keep a complete and accurate record in suitable books or other form in writing, of the history of the case in court, and of the name of the probation officer, and his acts in connection with said case; also the age, sex, nativity, residence, education, habits of temperance, whether married



or single, and the conduct, employment and occupation, and parents' occupation, and condition of such person so committed to his care during the term of such probation and the result of such probation. Such record of such probation officer shall be and constitute a part of the records of the court, and shall at all times be open to the inspection of the court, or of any person appointed by the court for that purpose, as well as of all magistrates, and the chief of police, or other head of the police, unless otherwise ordered by the court. Said books of record shall be furnished for the use of said probation officer of said county, and shall be paid for out of the county treasury.

(j) Every probation officer, within fifteen days after the thirtieth day of June, and within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document with the county clerk a report to the superior court of the county or city and county in which such probation officer is appointed to serve, and shall furnish a copy of such report to each judge in said county or city and county who has released any person on probation who at the time of such report remains on probation; and a further copy to the secretary of the State Board of Charities and Corrections. Such report shall state, without giving names, the exact number of persons, segregating male and female, and segregating misdemeanors and felonies, who have been released on probation to such probation officer as such number exists, deducting all cases of expiration, discharge, dismissal, and restoration of rights, on said thirtieth day of June and said thirty-first day of December; and such report shall further segregate such person as having been released on probation, as the case may be, in one thousand nine hundred three, one thousand nine hundred four, one thousand nine hundred five and so on, up to and including the calendar year in which such report is made and filed.

(k) The probation officer shall furnish to each person who has been released on probation, and committed to his care a written statement of the terms and conditions of his probation unless such statement has been furnished by the court, and shall report to the court, judge or justice, releasing such persons upon probation, any violation or breach of the terms and conditions imposed by such court on the person placed in his care.

(l) Such probation officer shall have, as to the person so committed to the care of said probation officer, the powers of a peace officer.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 641?

The roll was called, and Assembly amendments to Senate Bill No. 641 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Rush, Slater, Tubbs, Waggy, West, and Young—27.

NOES—None.

Senate Bill No. 641 ordered to enrollment.

### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1130—An act to amend section 51 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to disposition of moneys.

### MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Assembly Bill No. 1130 to Senator Boggs, as a Special Committee of One, to amend as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, as amended, strike out the word "and", and insert in lieu thereof a semicolon.

#### AMENDMENT NUMBER TWO.

On page 1, line 6, of the title of the printed bill, as amended, after the word "fund" insert the following: "; and making an appropriation for support of Industrial Accident Commission."

#### AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, as amended, strike out the words "and all appro-", and insert in lieu thereof a period, and also strike out lines 4 and 5.



## AMENDMENT NUMBER FOUR.

On page 2, after line 5, of the printed bill, as amended, add the following:

Out of any funds in the state treasury, not otherwise appropriated, there is hereby appropriated the sum of two hundred four thousand dollars for support of Industrial Accident Commission for the seventy-ninth and eightieth fiscal years.

Motion carried.

## REPORT OF SPECIAL COMMITTEE OF ONE.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1130, with instructions to amend, respectfully reports the same back, amended as per instructions.

BOGGS, Special Committee.

Report read, and on motion of Senator Inman adopted.

Bill ordered to print.

Assembly Bill No. 1283—An act conveying certain tide lands and lands lying under inland navigable waters situate in Mission Bay (also known as False Bay) and in the bay of San Diego to the city of San Diego in furtherance of navigation, and commerce and the fisheries, and providing for the government, management and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1283 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Lyon, Maloney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1284—An act to amend sections 1, 5, 6 and 7 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, and to add a new section thereto to be numbered 7½, relating to the use of convicts on State highways and roads, creating a "convict's benefit fund" and providing for payments in and out of the same, providing that convicts so used shall not be restored to civil rights or subject to the provisions of the Workmen's Compensation, Insurance and Safety Act of 1917, or entitled to any benefits thereunder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1284 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, John-

son, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and West—31.  
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LIEUTENANT GOVERNOR IN THE CHAIR.

At three o'clock and ten minutes p.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Assembly Bill No. 560—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the fortieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 560 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Slater, Swing, Tubbs, Wagy, West and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 907—An act declaring the policy of the State in respect to old age pensions, providing for an investigation of old age pension systems, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 907 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Canepa, Chamberlin, Cobb, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Kline, Maloney, Murphy, Pedrotti, Sharkey, Slater, Tubbs, Wagy, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1134—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, as amended, and repealing an act entitled "An act creating an 'Industrial Accident Fund' and appropriating moneys therein," approved May 26, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1134 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson,

Jones, H. C., Kline, Maloney, McKinley, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1256—An act to amend sections 1, 2, 9, and 12 of an act entitled "An act to establish pilot and pilot regulations for the ports of San Francisco, Mare Island, Vallejo and Benicia," approved March 22, 1870, and to add to said act a new section numbered 26, relating to the powers, duties and compensation of the Board of Pilot Commissioners for said ports, and making an appropriation for the support of said board during the seventy-ninth and eightieth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1256 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Chamberlin, Cobb, Evans, Garrison, Handy, Hollister, Ingram, Inman, Johnson Jones, H. C., Jones, Ray, Kline, Lyon, McKinley, Mueller, Pedrotti, Sharkey, Slater, Weller, and Young—23.

NOES—Senators Canepa, Christian, Crowley, Gray, Maloney, Swing and Tubbs—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 461—An act providing for the organization and government of public service districts for the purpose of establishing and maintaining public labor camps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 461 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### RE-REFERENCE OF ASSEMBLY BILL.

Assembly Bill No. 1162—An act to amend section 2572 of the Political Code, relating to salaries of the commissioners of the board of harbor commissioners of the port of Eureka.

Assembly Bill No. 1162 ordered re-referred to Committee on Commerce and Navigation.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1291—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of

Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1291 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1227—An act to amend section 21 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths; the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to applications or petitions to establish births.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1227 passed by the following vote:

AYES—Senators Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Jones, Ray; Kline, Lyon, Maloney, Mueller, Murphy, Sharkey, Swing, Tubbs, and West—21.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Cobb, Handy, Ingram, Johnson, Jones, H. C., McKinley, Slater, Wagy, Weller, and Young—15.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the con-



stitution of said State by amending section 3 of article IV thereof, relating to the election and term of office of members of the Assembly.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 20 refused adoption by the following vote:

AYES—Senators Breed, Canepa, Chamberlin, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Kline, Maloney, McKinley, Mueller, Murphy, Wagy, and Weller—16.

NOES—Senators Allen, J. M., Allen, N. M., Boggs, Cobb, Handy, Hurley, Ingram, Jones, H. C., Jones, Ray; Sharkey, Slater, Swing, Tubbs, West, and Young—15.

Assembly Bill No. 7—An act to add a new section to the Political Code, to be numbered 737*q*, relating to the salary of the judge of the superior court of the county of El Dorado.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 7 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 49—An act to add a new section to the Political Code, to be numbered 737*t*, relating to the salaries of superior judges of Colusa County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 49 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 62—An act to add a new section to the Political Code, to be numbered 737*qq*, relating to salary of judge of the superior court in and for the county of Sutter.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 62 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 63—An act to add a new section to the Political Code, to be numbered 737s, relating to salary of judge of the superior court in and for the county of Yolo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 63 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 64—An act to add a new section to the Political Code, to be numbered 737r, relating to salary of judge of the superior court in and for the county of Yuba.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 73—An act to add a new section to the Political Code, to be numbered 737l, relating to the annual salary of the superior court judge of Madera County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 73 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 75—An act to amend section 737v of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 75 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 84—An act to add a new section to the Political Code, to be numbered 738*ab*, relating to the salary of the superior court judge of the county of Marin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 84 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 105—An act to add a new section to the Political Code, to be numbered 738*c*, relating to the annual salary of the superior court judge of the county of Tuolumne.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 105 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 109—An act to add a new section to the Political Code, to be numbered 737*i*, relating to the salary of the judge of the superior court in and for the county of Shasta.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 109 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 153—An act to add a new section to the Political Code, to be numbered 737r, relating to the salaries of the superior court judges in Riverside County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 153 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 160—An act to amend section 737k of the Political Code, relating to the annual salaries of the superior court judges of the State of California in and for the county of Santa Barbara.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 160 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 188—An act to add a new section to be numbered 737l to the Political Code, relating to the salary of the judge of the superior court of Nevada County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 188 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 256—An act to add a new section to the Political Code, to be numbered 737abc, relating to the salary of the superior court judge of the county of Del Norte.

Bill read third time.

The question being on the passage of the bill.



The roll was called, and Assembly Bill No. 256 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 290—An act to amend section 737*eee* of the Political Code, relating to the salaries of judges of the superior courts of the State of California in and for the counties of San Joaquin, San Bernardino, Orange and Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 290 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 296—An act to add a new section to the Political Code, to be numbered 737*r*, relating to the salaries of the superior judges of the county of Kern.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 296 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 427—An act to add a new section to the Political Code, to be numbered 737*u*, relating to the salary of the judge of the superior court of the county of Amador.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 427 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley,

Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagv, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 428—An act to add a new section to the Political Code, to be numbered 737r, relating to the salary of the judge of the superior court of the county of Calaveras.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 428 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagv, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 586—An act to amend section 737o of the Political Code, relating to the salaries of the superior judges in Inyo, Mariposa and Mono counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 586 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagv, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 655—An act to amend section 738a of the Political Code, relating to the salaries of judges of the superior courts in and for the counties of Lassen and Plumas.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 655 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagv, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 657—An act to add a new section to the Political Code, to be numbered 737*x*, relating to the salary of the judge of the superior court in and for the county of Modoc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 657 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 729—An act to amend section 737*g* of the Political Code, relating to the salaries of the judges of the superior court of the county of Santa Cruz.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 729 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 739—An act to add a new section to the Political Code, to be numbered 737*uw*, relating to the salary of superior judge in Contra Costa County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 739 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 758—An act to amend section 737*p* of the Political Code, relating to the salary of the judges of the superior court in and for the county of Stanislaus.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley,

Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 778—An act to add a new section to the Political Code, to be numbered 737*y*, relating to the salary of the judge of the superior court of the county of San Benito.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 778 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 881—An act to amend section 737*e* of the Political Code, relating to the salary of the judges of the superior court in the county of San Mateo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 881 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 948—An act to amend section 737*m* of the Political Code, relating to the salaries of superior judges in Solano and Napa counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 948 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.



Assembly Bill No. 1100—An act to amend section 737*ab* of the Political Code, relating to salary of the judge of Merced County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1100 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1152—An act to amend section 737*n* of the Political Code, relating to the salary of the superior court judge of the county of Butte.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1152 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1206—An act to amend section 737*d* of the Political Code and to add a new section to said code, to be numbered 737*f*, relating to salaries of judges of the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1206 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wag, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1239—An act to amend section 737*c* of the Political Code, relating to the salary of the superior judge of Ventura County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1239 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley,

Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1287—An act to add a new section to the Political Code, to be numbered 737*a*, relating to the salary of the judge of the superior court of the county of Alpine.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1287 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1060—An act to amend section 737*j* of the Political Code, relating to salaries of judges of the superior courts of the county of San Luis Obispo.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1060 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 194—An act declaring portions of the lands conveyed to the city of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof" approved May 1, 1911, as amended, unavailable for navigation and fishery and excluding such portions from use for navigation, commerce and fishing, and granting such portions of said tidelands to the city of San Diego and county of San Diego for certain county and municipal purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 194 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram,

Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 195—An act to amend an act entitled "An act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes" approved May 29, 1913, by adding thereto, two new sections to be numbered 3 and 4, relating to the manner of entering into such joint construction agreements and authorizing the incurring of an indebtedness for the purpose of constructing any such building.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 195 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1221—An act to add a new section to be numbered 5½ to an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said map unless the same are recorded," approved March 15, 1907, as amended, relating to subdivision of land bounded on any side, or in any way, by the ocean, or by an inlet, bay, estuary, or arm thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Mueller moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—34.

The Secretary announced the absentees.

Time, three o'clock and fifty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 395—An act to amend section 190 of the Penal Code, relating to murder in the second degree.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 395 passed by the following vote:

AYES—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, and West—27.

NOES—Senators Allen, J. M., and Cobb—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 66—An act to amend section 204c of the Code of Civil Procedure, relating to duties of jury commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 66 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Follon, Garrison, Gray, Hollister, Hurley, Ingram, Inman, Johnson, Jones, Ray, Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, and West—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF ASSEMBLY BILLS.

Assembly Bill No. 1047—An act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to proceedings before the Industrial Accident Commission in certain death benefit cases.

Assembly Bill No. 1047 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1048—An act to amend section 20 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the time within which to file claims with the Industrial Accident Commission in certain cases.

Assembly Bill No. 1048 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1051—An act to amend section 3 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to definition of the term "injury" as used in such Workmen's Compensation Act.

Assembly Bill No. 1051 ordered re-referred to Committee on Insurance.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1246—An act authorizing the State Department of Finance, out of any moneys appropriated therefor, to purchase warrants of the Sacramento River Outlet Project No. 2 of the Sacramento and San Joaquin Drainage District, and prescribing the duties of the



State Reclamation Board in the use of the proceeds of such sale of said warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1246 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Gray, Handy, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 809—An act regulating the weighing of agricultural products, defining the powers and duties of the Director of Agriculture in respect thereto, prescribing the penalties for violation of the provisions hereof, defining the duty of warehouse operators, establishing the Terminal Weighing Fund, and making an appropriation to carry out the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 809 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Ingram, Inman, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Pedrotti, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 14—An act to amend sections 92 and 139 of the Civil Code and to add a new section to said code, to be numbered 108 relating to the causes of divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 14 refused passage by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Christian, Garrison, Jones, Ray; Lyon, Mueller, Pedrotti, Sharkey, Swing, Tubbs, Weller and Young—15.

NOES—Senators Canepa, Chamberlin, Cobb, Crowley, Evans, Gray, Handy, Hurley, Ingram, Inman, Johnson, Kline, Maloney, McKinley, Murphy, Slater, Waggy, and West—18.

Assembly Bill No. 1293—An act to amend section 231 of the Code of Civil Procedure, relating to juries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1293 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Sharkey, Slater, Waggy, West and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 920—An act to amend section 514, 515, and 516 of the Political Code, relating to the superintendent of public instruction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 920 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Lyon, Maloney, McKinley, Pedrotti, Sharkey, Slater, Wagy, Weller, West, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 677—An act providing for the creation and management of the Tamalpais State Park, making an appropriation therefor and creating the Tamalpais State Park Commission, with power to acquire land and other property for the creation, maintenance and improvement of said park, and for additions thereto, and to maintain and manage the same, and to appoint a guardian thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 677 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Sharkey, Slater, Wagy, Weller, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 76—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 76 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 826—An act to add a new section to an act known as the "General Dairy Law of California," approved June 15, 1923, as amended, to be numbered section 16½, relating to the licensing of dairy produce exchanges trading in butter, cheese or eggs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 826 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Sharkey, Slater, Wagy, West, and Young—24.  
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 775—An act to amend sections 30 and 77 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to the chief of the Division of Motor Vehicles and Registration Fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 775 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Handy, Ingram, Inman, Johnson, Jones, Ray; Kline, Maloney, McKinley, Pedrotti, Sharkey, Slater, Wagy, Weller, and Young—24.  
 NOES—Senator West—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Mueller.

The Secretary was directed to call the roll on the passage of Assembly Bill No. 1221.

The roll was called, and Assembly Bill No. 1221 refused passage by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Fellom, Garrison, Gray, Ingram, Inman, Jones, H. C., Kline, Maloney, Mueller, Murphy, Slater, Swing, and Wagy—16.

NOES—Senators Allen, N. M., Baker, Breed, Chamberlin, Cobb, Crowley, Evans, Handy, Hollister, Hurley, Johnson, Jones, Ray; Lyon, McKinley, Pedrotti, Sharkey, Tubbs, Weller, West, and Young—20.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 103—An act to add new sections to the Political Code to be numbered 737a, 737b, 737c, 737d, 737e, 737f, 737g, 737h, 737i, 737j, 737k, 737l, 737m, 737n, 737o, 737p, 737q, 737r, 737s, 737t, 737u, 737v, 737w, 737x, 737y, 737z, 737aa, 737bb, 737cc, 737dd, 737ee, 737ff, 737gg, 737hh, 737ii, 737jj, 737kk, 737ll, 737mm, 737nn, 737oo, 737pp, 737qq, 737rr, 737ss, 737tt, 737uu, 737vv, 737ww, 737xx, 737yy, 737zz, 737aaa, 737bbb, 737ccc, 737ddd, 737eee, 737fff, and to repeal certain old sections of said code respectively numbered 737, 737a, 737b, 737c, 737d as added by chapter 877 of the Statutes of 1921, 737d as added by chapter 864 of the Statutes of 1921, 737d as added by chapter 851 of the Statutes of 1921, 737e, 737g, 737h, 737j, 737k, 737m, 737n, 737o, 737p, 737v, 737w, 737ab, 737ccc, 737rr, 738, 738a, 738b as added by chapter 450 of the Statutes of 1925, 738b as added by chapter 455 of the Statutes of 1925, 738c and 738d, all relating to salaries of judges of the superior court—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 103—An act to add new sections to the Political Code to be numbered 737a, 737b, 737c, 737d, 737e, 737f, 737g, 737h, 737i, 737j, 737k, 737l, 737m, 737n, 737o, 737p, 737q, 737r, 737s, 737t, 737u, 737v, 737w, 737x, 737y, 737z, 737aa, 737bb, 737cc, 737dd, 737ee, 737ff, 737gg, 737hh, 737ii, 737jj, 737kk, 737ll, 737mm, 737nn, 737oo, 737pp, 737qq, 737rr, 737ss, 737tt, 737uu, 737vv, 737ww, 737xx, 737yy, 737zz, 737aaa, 737bbb, 737ccc, 737ddd, 737eee, 737fff, and to repeal certain old sections of said code respectively numbered 737, 737a, 737b, 737c, 737d as added by chapter 877 of the Statutes of 1921, 737d as added by chapter 864 of the Statutes of 1921, 737d as added by chapter 851 of the Statutes of 1921, 737e, 737g, 737h, 737j, 737k, 737m, 737n, 737o, 737p, 737v, 737w, 737ab, 737ccc, 737rr, 738, 738a, 738b as added by chapter 450 of the Statutes of 1925, 738b as added by chapter 455 of the Statutes of 1925, 738c and 738d, all relating to salaries of judges of the superior court.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED THREE.

## AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended April 14, 1927, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

An act to add new sections to the Political Code to be numbered seven hundred thirty-seven a, seven hundred thirty-seven b, seven hundred thirty-seven c, seven hundred thirty-seven d, seven hundred thirty-seven e, seven hundred thirty-seven f, seven hundred thirty-seven g, seven hundred thirty-seven h, seven hundred thirty-seven i, seven hundred thirty-seven j, seven hundred thirty-seven k, seven hundred thirty-seven l, seven hundred thirty-seven m, seven hundred thirty-seven n, seven hundred thirty-seven o, seven hundred thirty-seven p, seven hundred thirty-seven q, seven hundred thirty-seven r, seven hundred thirty-seven s, seven hundred thirty-seven t, seven hundred thirty-seven u, seven hundred thirty-seven v, seven hundred thirty-seven w, seven hundred thirty-seven x, seven hundred thirty-seven y, seven hundred thirty-seven z, seven hundred thirty-seven aa, seven hundred thirty-seven bb, seven hundred thirty-seven cc, seven hundred thirty-seven dd, seven hundred thirty-seven ee, seven hundred thirty-seven ff, seven hundred thirty-seven gg, seven hundred thirty-seven hh, seven hundred thirty-seven ii, seven hundred thirty-seven jj, seven hundred thirty-seven kk, seven hundred thirty-seven ll, seven hundred thirty-seven mm, seven hundred thirty-seven nn, seven hundred thirty-seven oo, seven hundred thirty-seven pp, seven hundred thirty-seven qq, seven hundred thirty-seven rr, seven hundred thirty-seven ss, seven hundred thirty-seven tt, seven hundred thirty-seven uu, seven hundred thirty-seven vv, seven hundred thirty-seven ww, seven hundred thirty-seven xx, seven hundred thirty-seven yy, seven hundred thirty-seven zz, seven hundred thirty-seven aaa, seven hundred thirty-seven bbb, seven hundred thirty-seven ccc, seven hundred thirty-seven ddd, seven hundred thirty-seven eee, seven hundred thirty-seven fff, and to repeal certain old sections of said code respectively numbered seven hundred thirty-seven a, seven hundred thirty-seven b, seven hundred thirty-seven c, seven hundred thirty-seven d as added by chapter eight hundred seventy-seven of the statutes of 1921, seven hundred thirty-seven d as added by chapter eight hundred sixty-four of the statutes of 1921, seven hundred thirty-seven d as added by chapter eight hundred fifty-one of the statutes of 1921, seven hundred thirty-seven e, seven hundred thirty-seven g, seven hundred thirty-seven h, seven hundred thirty-seven j, seven hundred thirty-seven k, seven hundred thirty-seven m, seven hundred thirty-seven n, seven hundred thirty-seven o, seven hundred thirty-seven p, seven hundred thirty-seven r, seven hundred thirty-seven u, seven hundred thirty-seven ab, seven hundred thirty-seven cc, seven hundred thirty-seven rr, seven hundred thirty-eight, seven hundred thirty-eight a, seven hundred thirty-eight b as added by chapter four hundred fifty of the statutes of 1925, seven hundred thirty-eight b as added by chapter four hundred fifty-five of the statutes of 1925, seven hundred thirty-eight c and seven hundred thirty-eight d, all relating to salaries of judges of the superior court.

## AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 14, 1927, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

SECTION 1. A new section is hereby added to the Political Code to be numbered 737a, and to read as follows:



737a. The annual salary of each of the judges of the superior court in and for the county of Alameda is nine thousand dollars.

SEC. 2. A new section is hereby added to the Political Code to be numbered 737b and to read as follows:

737b. The annual salary of the judge of the superior court in and for the county of Alpine is three thousand five hundred dollars.

SEC. 3. A new section is hereby added to the Political Code to be numbered 737c and to read as follows:

737c. The annual salary of the judge of the superior court in and for the county of Amador is five thousand dollars.

SEC. 4. A new section is hereby added to the Political Code to be numbered 737d and to read as follows:

737d. The annual salary of the judge of the superior court in and for the county of Butte is six thousand dollars.

SEC. 5. A new section is hereby added to the Political Code to be numbered 737e and to read as follows:

737e. The annual salary of the judge of the superior court in and for the county of Calaveras is five thousand dollars.

SEC. 6. A new section is hereby added to the Political Code to be numbered 737f and to read as follows:

737f. The annual salary of the judge of the superior court in and for the county of Colusa is five thousand dollars.

SEC. 7. A new section is hereby added to the Political Code to be numbered 737g and to read as follows:

737g. The annual salary of each of the judges of the superior court in and for the county of Contra Costa is six thousand dollars.

SEC. 8. A new section is hereby added to the Political Code to be numbered 737h and to read as follows:

737h. The annual salary of the judge of the superior court in and for the county of Del Norte is four thousand dollars.

SEC. 9. A new section is hereby added to the Political Code to be numbered 737i and to read as follows:

737i. The annual salary of the judge of the superior court in and for the county of El Dorado is five thousand dollars.

SEC. 10. A new section is hereby added to the Political Code to be numbered 737j and to read as follows:

737j. The annual salary of each of the judges of the superior court in and for the county of Fresno is seven thousand dollars.

SEC. 11. A new section is hereby added to the Political Code to be numbered 737k and to read as follows:

737k. The annual salary of the judge of the superior court in and for the county of Glenn is five thousand dollars.

SEC. 12. A new section is hereby added to the Political Code to be numbered 737l and to read as follows:

737l. The annual salary of each of the judges of the superior court in and for the county of Humboldt is five thousand dollars.

SEC. 13. A new section is hereby added to the Political Code to be numbered 737m and to read as follows:

737m. The annual salary of each of the judges of the superior court in and for the county of Imperial is five thousand five hundred dollars.

SEC. 14. A new section is hereby added to the Political Code to be numbered 737n and to read as follows:

737n. The annual salary of the judge of the superior court in and for the county of Inyo is four thousand five hundred dollars.

SEC. 15. A new section is hereby added to the Political Code to be numbered 737o and to read as follows:

737o. The annual salary of each of the judges of the superior court in and for the county of Kern is six thousand dollars.

SEC. 16. A new section is hereby added to the Political Code to be numbered 737p and to read as follows:

737p. The annual salary of the judge of the superior court in and for the county of Kings is four thousand five hundred dollars.

SEC. 17. A new section is hereby added to the Political Code to be numbered 737q and to read as follows:

737q. The annual salary of the judge of the superior court in and for the county of Lake is four thousand dollars.

SEC. 18. A new section is hereby added to the Political Code to be numbered 737r and to read as follows:

737r. The annual salary of the judge of the superior court in and for the county of Lassen is five thousand dollars.

SEC. 19. A new section is hereby added to the Political Code to be numbered 737s and to read as follows:

737s. The annual salary of each of the judges of the superior court in and for the county of Los Angeles is nine thousand dollars.

SEC. 20. A new section is hereby added to the Political Code to be numbered 737t and to read as follows:

737t. The annual salary of the judge of the superior court in and for the county of Madera is five thousand dollars.

SEC. 21. A new section is hereby added to the Political Code to be numbered 737u and to read as follows:

737u. The annual salary of the judge of the superior court in and for the county of Marin is six thousand dollars.

SEC. 22. A new section is hereby added to the Political Code to be numbered 737v and to read as follows:

737v. The annual salary of the judge of the superior court in and for the county of Mariposa is four thousand dollars.

SEC. 23. A new section is hereby added to the Political Code to be numbered 737w and to read as follows:

737w. The annual salary of the judge of the superior court in and for the county of Mendocino is five thousand five hundred dollars.

SEC. 24. A new section is hereby added to the Political Code to be numbered 737x and to read as follows:

737x. The annual salary of the judge of the superior court in and for the county of Merced is five thousand five hundred dollars.

SEC. 43. A new section is hereby added to the Political Code to be numbered 737qq and to read as follows:

737qq. The annual salary of each of the judges of the superior court in and for the county of Santa Clara is seven thousand dollars.

SEC. 44. A new section is hereby added to the Political Code to be numbered 737rr and to read as follows:

737rr. The annual salary of the judge of the superior court in and for the county of Santa Cruz is six thousand dollars.

SEC. 45. A new section is hereby added to the Political Code to be numbered 737ss and to read as follows:

737ss. The annual salary of the judge of the superior court in and for the county of Shasta is five thousand dollars.

SEC. 46. A new section is hereby added to the Political Code to be numbered 737tt and to read as follows:

737tt. The annual salary of the judge of the superior court in and for the county of Sierra is three thousand dollars.

SEC. 47. A new section is hereby added to the Political Code to be numbered 737uu and to read as follows:

737uu. The annual salary of the judge of the superior court in and for the county of Siskiyou is five thousand dollars.

SEC. 48. A new section is hereby added to the Political Code to be numbered 737vv and to read as follows:

737vv. The annual salary of the judge of the superior court in and for the county of Solano is six thousand dollars.

SEC. 49. A new section is hereby added to the Political Code to be numbered 737wv and to read as follows:

737wv. The annual salary of each of the judges of the superior court in and for the county of Sonoma is six thousand dollars.

SEC. 50. A new section is hereby added to the Political Code to be numbered 737xx and to read as follows:

737xx. The annual salary of each of the judges of the superior court in and for the county of Stanislaus is six thousand dollars.

SEC. 51. A new section is hereby added to the Political Code to be numbered 737yy and to read as follows:

737yy. The annual salary of the judge of the superior court in and for the county of Sutter is five thousand dollars.

SEC. 52. A new section is hereby added to the Political Code to be numbered 737zz and to read as follows:

737zz. The annual salary of the judge of the superior court in and for the county of Tehama is five thousand dollars.

SEC. 53. A new section is hereby added to the Political Code to be numbered 737aaa and to read as follows:

737aaa. The annual salary of the judge of the superior court in and for the county of Trinity is four thousand dollars.

SEC. 54. A new section is hereby added to the Political Code to be numbered 737bbb and to read as follows:

737bbb. The annual salary of each of the judges of the superior court in and for the county of Tulare is six thousand dollars.

SEC. 55. A new section is hereby added to the Political Code to be numbered 737ccc and to read as follows:

737ccc. The annual salary of the judge of the superior court in and for the county of Tuolumne is five thousand dollars.

SEC. 56. A new section is hereby added to the Political Code to be numbered 737ddd and to read as follows:

737ddd. The annual salary of the judge of the superior court in and for the county of Ventura is six thousand dollars.

SEC. 57. A new section is hereby added to the Political Code to be numbered 737eee and to read as follows:

737eee. The annual salary of the judge of the superior court in and for the county of Yolo is five thousand dollars.

SEC. 58. A new section is hereby added to the Political Code to be numbered 737fff and to read as follows:

737fff. The annual salary of the judge of the superior court in and for the county of Yuba is five thousand dollars.

SEC. 59. Sections 737a, 737b, 737c, 737d as added by chapter 877 of the statutes of 1921, 737d as added by chapter 864 of the statutes of 1921, 737d as added by chapter 851 of the statutes of 1921, 737e, 737g, 737h, 737j, 737k, 737m, 737n, 737o, 737p, 737v, 737w, 737ab, 737ccc, 737vv, 738, 738g, 738b as added by chapter 450 of the statutes of 1925, 738h as added by chapter 455 of the statutes of 1925, 738c and 738d, as the same existed immediately prior to the date upon which this act takes effect, are hereby repealed.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 103?

The roll was called, and Assembly amendments to Senate Bill No. 103 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, Ray; Kline, Maloney, McKinley, Murphy, Slater, Tubbs, Wagye, Weller, West, and Young—27.

NOES—None.

Senate Bill No. 103 ordered to enrollment

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 236—An act to add a new section to be numbered 736c to the Political Code prescribing the payment of salaries of judges of the superior courts—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 236—An act to add a new section to be numbered 736c to the Political Code prescribing the payment of salaries of judges of the superior courts.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-SIX

##### AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended April 22, 1927, strike out lines 1 to 12, inclusive, of said title, and insert in lieu thereof the following:

An act to amend section seven hundred thirty-seven of the Political Code prescribing the payment of salaries of judges of the superior court.

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended April 22, 1927, strike out all of lines 8 and 9, and the figures and letter "736c" in line 10, and insert in lieu thereof the following:

SECTION 1. Section 737 of the Political Code is hereby amended to read as follows:

737.

##### AMENDMENT NUMBER THREE.

On page 2 of the printed bill, as amended April 22, 1927, strike out lines 22 to 46, inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 236?



The roll was called, and Assembly amendments to Senate Bill No. 236 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—28.

NOES—None.

Senate Bill No. 236 ordered to enrollment.

#### THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 177—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Murphy moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—28.

The Secretary announced the absentees.

Time, nine o'clock and fifty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

#### THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 1075—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1075 passed by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Sharkey, Slater, Swing, Waggy, Weller, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 869—An act to amend an act entitled "An act providing for farm and home aid for veterans, defining powers and duties of Veterans' Welfare Board in respect thereto and making an



appropriation therefor," approved May 30, 1921, as amended, relating to farm and home aid of widows of deceased veterans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 869 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 774—An act to amend section 9 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to compensation for injured employees suffering from pre-existing injury, disability or condition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 774 refused passage by the following vote:

AYES—Senators Baker, Chamberlin, Kline, and Weller—4.

NOES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Tubbs, Wagy, West, and Young—31.

#### \* ASSEMBLY CONCURRENT RESOLUTION No. 30.

Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith.

WHEREAS, It is necessary that the Legislature of the State of California have available adequate information so as to enable its members to consider proper legislation looking to the adoption of a statewide plan for the conservation and use of the waters of the State; now, therefore, be it

*Resolved by the Assembly, the Senate concurring.* That a committee of eight members, consisting of four members of the Assembly to be appointed by the Speaker of the Assembly, and four members of the Senate to be appointed by the President of the Senate, be appointed to make an investigation of the water problems of the State and to recommend to the Legislature of the State of California at the forty-eighth session thereof some statewide policy for the conservation and use of the waters of the State; and be it further

*Resolved.* That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary, and shall proceed with said investigation in such manner as may be determined by said committee; and be it further

*Resolved.* That each department, board, commission or officer of the State of California, whenever requested to do so by said committee, shall furnish to said committee such assistance as it may require; and be it further

*Resolved.* That said committee is hereby authorized to hold public hearings at any place in the State of California at which hearings the people shall have opportunity to present their views to the committee; and be it further

*Resolved.* That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpoenas and to compel the attendances of witnesses, and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of article VIII of chapter II, title I, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The said committee is hereby given leave to sit during the sessions of the Legislature, during the recess thereof and during the interval between sessions thereof, at any place in the State as said committee shall from time to time determine.

## AMENDMENT FROM THE FLOOR.

Senator Chamberlin moved to amend Assembly Concurrent Resolution No. 30 as follows:

## AMENDMENT NUMBER ONE.

On page 1, lines 7, 8, 9 and 10, of the printed bill, strike out the following: "eight members, consisting of four members of the Assembly to be appointed by the speaker of the Assembly, and four members of the Senate to be appointed by the president of the Senate", and insert in lieu thereof the following: "nine members, consisting of three members of the Assembly to be appointed by the speaker of the Assembly, three members of the Senate to be appointed by the president of the Senate and three citizens, two of whom shall be engineers, to be appointed by the governor".

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Christian, Chamberlin and Inman upon the adoption of the amendment. Whereupon the Secretary was directed to call the roll.

The roll was called, and the amendment adopted by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Gray, Hurley, Ingram, Kline, Lyon, McKinley, Mueller, Pedrotti, Rush, Tubbs, Weller, and West—20

**NOES**—Senators Boggs, Cobb, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray, Maloney, Murphy, Sharkey, Slater, and Young—15.

Assembly Concurrent Resolution No. 30 ordered to print.

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution, relating to manner of fixing compensation of certain officers and jurors.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 34 refused adoption by the following vote:

**AYES**—Senators Allen, N. M., Canepa, Crowley, Fellom, Gray, Handy, Jones, Ray, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Tubbs, Weller, and West—16.

**NOES**—Senators Allen, J. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Evans, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Kline, Sharkey, Slater, and Young—18.

## ASSEMBLY CONSTITUTIONAL AMENDMENT No. 35.

A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1 of article II of the constitution relating to the right of suffrage.

*Resolved by the Assembly, the Senate concurring.* That the Legislature of the State of California, at its forty-seventh regular session, commencing on the third day of January, one thousand nine hundred twenty-seven, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 1 of article II of the constitution of this State be amended to read as follows:

Section 1. Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the treaty of Queretaro, and every naturalized citizen thereof, who shall have become such ninety days prior to any election, at the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county in which he or she claims his or her vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within thirty days of an election, shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct from which he so removed until after such election; *provided, further*, no alien ineligible to citizenship, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the

constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this State; *provided*, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who had the right to vote on October 10, 1911, nor to any person who had the right to vote on October 10, 1911, nor to any person who was sixty years of age and upwards on October 10, 1911; *provided, further*, that the Legislature may, by general law, provide for the casting of votes by duly registered voters who, by reason of their occupation, are required to travel and who, by such affidavit as the Legislature may prescribe, show that they expect to be absent from their respective precincts on the day on which any primary or general election is held, or who, by reason of their being engaged in the civil, congressional, military or naval service of the United States or of the state, may be absent from their respective precincts on the day on which any primary or general election is held, or who because of injury or disability are absent from their precincts or unable to go to the polling places; which votes (a) may be cast in the office of the registrar of voters, or of the county clerk of the county or city and county in which such voters respectively reside, and on a day prior to the date of such election, under such provisions as the Legislature may see fit to make; or (b) may be cast in the city, city and county or town within this State in which such voters may be on the day on which such election is held, under such provisions as the Legislature may see fit to make, and shall be forwarded in such manner as the Legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots cast at such election; or (c) in cases where said voters are engaged in such civil, congressional, military or naval service, may be cast at any place, under such provisions as the Legislature may see fit to make, and shall be forwarded in such manner as the Legislature may prescribe to the officers respectively of the city, city and county or town having charge of the counting of the ballots at such election; all of which votes shall be kept in such manner and counted by such methods as the Legislature may prescribe; *provided*, that it must be required that all ballots cast in any other place than the precinct of the voter must be received by the county clerk of the county in which the voter is registered, within two weeks of the election, in which such ballots are to be counted.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 35 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 35 ordered transmitted to the Assembly.

Assembly Bill No. 212—An act requiring persons engaged in the business of cleaning, tailoring, or dyeing clothing to insure property coming into their possession against loss.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 212 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Hurley, Jones, H. C., Jones, Ray, Kline, Lyon, Maloney, Mueller, Murphy, Pedrotti, Sharkey, Swing, Tubbs, Waggy, Weller, and West—28.

NOES—Senators Ingram, Johnson, McKinley, Rush, Slater, and Young—6.

Title read and approved.

Bill ordered transmitted to the Assembly.



REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:  
By Senator Mueller:

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill having the following title:  
An act authorizing the Surveyor General of the State of California to lease certain tide lands in the county of San Diego.

Request referred to Committee on Rules.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was taken up and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Mueller to introduce a bill entitled—An act authorizing the Surveyor General of the State of California to lease certain tide lands in the county of San Diego—has had the same under consideration, and respectfully reports the same back, and recommends that the request be granted, subject to Joint Rule No. 35.  
Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—35.  
NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Mueller: Senate Bill No. 896—An act authorizing the Surveyor General of the State of California to lease certain tide lands in the county of San Diego.

Bill read first time, without reference to committee.

CONSIDERATION OF SENATE BILL NUMBER EIGHT HUNDRED NINETY-SIX.

Senate Bill No. 896—An act authorizing the Surveyor General of the State of California to lease certain tide lands in the county of San Diego.

CASE OF URGENCY.

RESOLUTION.

The following resolution was offered:

By Senator Mueller:

Resolved, That Senate Bill No. 896 presents a case of urgency, as that term is used in Section 15 of article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.



The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Senate Bill No. 896—An act authorizing the Surveyor General of the State of California to lease certain tide lands in the county of San Diego.

Bill read second time, considered engrossed, and ordered on file for third reading.

#### RECOMMENDATION BY PRESIDING OFFICER.

In accordance with Joint Rule No. 35, I hereby recommend that the Senate grant permission to vote on Senate Bill No. 896, entitled—An act authorizing the Surveyor General of the State of California to lease certain tide lands in the county of San Diego.

BURON FITTS, President.

The question being: Shall the Senate grant permission to vote on Senate Bill No. 896?

The roll was called, and permission granted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Senate Bill No. 896—An act authorizing the Surveyor General of the State of California to lease certain tide lands in the county of San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 896 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 16—Relative to the cooperation between the United States and the State of California concerning conservation and development of water projects;

Also: Assembly Joint Resolution No. 17—Relative to federal taxation of community property in California.

ARTHUR A. O'HINIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVENTEEN.

##### ASSEMBLY JOINT RESOLUTION No. 17.

Relative to federal taxation of community property in California.

WHEREAS, The community system of property prevails in the State of California; and

WHEREAS, In the other community property states the husband and wife are still and for a long time have been permitted by the treasury department, to return one-half of the community property income each for purposes of federal income taxes; and

WHEREAS, In the other community property states, only one-half of the community property passing to the wife on the death of her husband is, and for a long time has been subjected by the treasury department to the federal estate tax; and

WHEREAS, The treasury department has only permitted the husband and wife in California, during the limited period of two months from March 27, 1924, to May 27, 1924, to return community income for purposes of federal income taxes as heretofore and still permitted in the other community property states, and is now questioning the legal correctness of the divided returns of California taxpayers filed in that limited period; and

WHEREAS, The United States District Court for the Northern District of California in *Blum versus Wardell* (270 Fed. 309) held that in California only one-half of the community property passing to the wife on the death of her husband is subject to the federal estate tax; and

WHEREAS, This decision was approved by the United States Circuit Court of Appeals for the Ninth Circuit (276 Fed. 226) and certiorari therein was denied by the United States Supreme Court (258 U. S. 617); and

WHEREAS, The treasury department ignores the effect of these decisions in the case of *Blum versus Wardell* and claims the right to subject to a federal estate tax the whole of the community property so passing to the wife in California, and is opening old cases heretofore settled for the purpose of claiming the larger tax on the whole community property; and

WHEREAS, The substantive rights of the husband and wife in community property in California are so similar in fact to the substantive rights of husband and wife in community property in the other community property states that, in the opinion of the people of the State of California there is no reasonable basis for distinguishing California from the other community property states in matters of federal taxation; and

WHEREAS, The Legislature of the State of California in its various enactments upon the subject of community property has consistently recognized that the wife in California during the continuance of the marriage relation has an interest in community property much more definite and certain than the expectancy of an heir, as evidenced by the provisions of section 161 and 682 of the Civil Code as adopted in 1872 and by the provisions of section 161a which were added to the Civil Code at this legislative session; and

WHEREAS, The Supreme Court of the State of California in the recent decision in *Stewart versus Stewart* (240 Pac. 197) recognized that the interest of the wife in community property in California during the continuance of the marriage relation was a much more definite and present interest than that of an ordinary heir; and

WHEREAS, By the phrasing of section 1212 of the revenue act of 1926 taxpayers in the other community property states who filed divided income returns were confirmed in all the privileges and benefits thereof as to income for any period before January 1, 1925, and by virtue of the position of the treasury department like privileges and benefits have been and will be denied to California taxpayers; and

WHEREAS, The people of the State of California are gravely concerned with the invidious distinction of California in these matters; now, therefore, be it

*Resolved by the Assembly and the Senate of California, jointly*, That we respectfully urge upon the Congress of the United States an early and careful consideration of the palpable injustice to California taxpayers in the matter of federal taxation; and such an amendment of the revenue acts as will put the California taxpayers as to past and future federal taxes in a position of equal security with the taxpayers in the other community property states; and that we also respectfully request of the Congress in this behalf, such remedial legislation as will indemnify California taxpayers for any federal taxes heretofore collected from them on any other basis than that which has been applied in the other community property states; and be it further

*Resolved*, That certified copies of the text of this joint resolution be communicated by the Governor of the State of California to the President of the United States, the Secretary of the Treasury of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to each member of the Congress representing the State of California therein.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Maloney, McKinley, Murphy, Pedrotti, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—34.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 17 ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Assembly Concurrent Resolution No. 36—Relative to expenses of legislative committee appointed pursuant to Assembly Concurrent Resolution No. 16, chapter XXX of resolutions, statutes of 1927—has had the same under consideration, and respectfully reports the same back, and recommend that it be adopted.

(Signed out)

ALLEN, J. M., Chairman.  
MURPHY.  
MALONEY.

Assembly Concurrent Resolution No. 36 ordered on file.

##### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 827—An act to amend section 594 of the Political Code, relating to the classification of insurance, and the reserves required in certain classes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

HOLLISTER, Chairman.  
BOGGS.  
EVANS.  
GRAY.  
HURLEY.  
INMAN.  
MUELLER.  
McKINLEY.  
YOUNG.  
WEST.

Assembly Bill No. 827 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 120—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

(Signed out)

HOLLISTER, Chairman.  
BOGGS.  
MUELLER.  
YOUNG.  
McKINLEY.  
WEST.  
EVANS.  
GRAY.

Assembly Bill No. 120 ordered on file.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Assembly Bill No. 120—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations.

COMMITTEE AMENDMENT.

During the second reading of the bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 20 to 22, inclusive, and insert in lieu thereof a period.

Amendment adopted.

Bill ordered to print, and on file for third reading.

Assembly Bill No. 827—An act to amend section 594 of the Political Code, relating to the classification of insurance, and the reserves required in certain classes.

Bill read second time, and ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways.

Also: Senate Bill No. 594—An act to add a new section to the Political Code to be numbered 737*dd* and to repeal that certain section numbered 737*d* which was added to said code by chapter CCMLI of the Statutes of 1921, relating to the salaries of the judges of the superior court in and for the county of San Diego:

Also: Senate Bill No. 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act;

Also: Senate Bill No. 763—An act to add a new section to the Political Code to be known as section 738*hl*, relating to the salary of the superior judge of Mendocino County.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 518, 594, 610 and 763 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 578—An act granting to the La Jolla Beach and Yacht Club, a corporation, a perpetual easement for a channel across certain tide-lands in the city of San Diego.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 578 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 26 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 670—An act to authorize the creation of county adjustment schools for the care of minors under eighteen years of age; to provide for



maintenance and management of same, and the making of commitments and transfer of said minors thereto, and the support of said minors therein.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 670 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 607—An act to authorize and empower the Director of Natural Resources to close to fishing and camping any area in any State park or forestry area or fish and game district.

ARTHUR A. OHNIMUS, Chief Clerk  
By THOMAS ROBINSON, Assistant Clerk

Senate Bill No. 607 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 25—Relative to an investigation and report upon educational facilities for the instruction of the deaf.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Concurrent Resolution No. 25 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25, and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 90 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 52—An act to amend section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office;

Also: Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class;

Also: Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3a and 3b respectively, relating to licenses;

Also: Senate Bill No. 259—An act to add a new section to the Political Code, to be numbered 629b, relating to group life insurance;

Also: Senate Bill No. 261—An act to amend section 629a of the Political Code, relating to group life insurance and valuation thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 52, 66, 107, 259 and 261 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day passed the following :

Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office ;

Also : Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State ;

Also : Senate Bill No. 356—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation ;

Also : Senate Bill No. 439—An act to provide that the department of natural resources, through the State Park Commission, shall have control of the State park system ; to establish and define the State Park System ; to define certain powers and duties of the State Park Commissioner ; to make an appropriation for carrying out the purposes of this act ; and to establish a contingent fund and a revolving fund ;

Also : Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks ; authorizing the commission to receive gifts of money for the purpose of carrying on this survey ; and providing for an appropriation for the carrying on of this survey and repealing an act entitled "An act relating to the acquisition by the State of forest land for park purposes ; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State ; providing a method for procuring such parks by purchase, gift, devise, donation or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor ; reserving certain rights to the owners of land adjacent to the lands so acquired ; providing for assistance by the Attorney General ; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof ; providing for the expenses of said board in carrying out the purposes of this act ; and prescribing the procedure for carrying out the provisions of this act," approved May 29, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 293, 318, 356, 439 and 440 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day passed the following :

Senate Bill No. 443—An act to amend sections 5 and 12 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry ;

Also : Senate Bill No. 466—An act to amend section 3 of an act entitled "An act to regulate the issuance of licenses for resale to hunters and 'anglers,'" approved May 20, 1915, as amended ;

Also : Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents ;

Also : Senate Bill No. 583—An act to add a new section to the Penal Code to be numbered 626½, relating to the protection of game ;

Also : Senate Bill No. 714—An act to create a new section, to be numbered section 876a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to depository funds of cities of the sixth class in banks ;

Also : Senate Bill No. 724—An act to add a new section to the Political Code, to be numbered 1751a, relating to attendance at high school.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 443, 466, 538, 583, 714 and 724 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day passed the following :

Senate Bill No. 476—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases ;

Also: Senate Bill No. 418—An act to amend section 1761 of the Code of Civil Procedure, relating to special notice of administration proceedings and demand thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 476 and 418 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases;

Also: Senate Bill No. 889—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to certain narcotic drugs;

Also: Senate Bill No. 884—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653ab to 653ag, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same;

Also: Senate Bill No. 691—An act to add a new section to the Civil Code to be numbered 410, relating to foreign corporations;

Also: Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way and easements of the public, including any right of way of which immediate possession and use has been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes, and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 362, 889, 884, 691 and 510 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also: Senate Bill No. 741—An act to add a new section, to be numbered 13, to an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the collection of facts, information, and statistics to promote the education, employment and general welfare of the deaf;

Also: Senate Bill No. 799—An act to amend section 592 of the Political Code, relating to the place of the office of the Insurance Commissioner;

Also: Senate Bill No. 805—An act relating to the Supreme Court, to amend sections 749, 755 and 756 of the Political Code, and to provide for the appointment, employment and compensation of phonographic reporters, assistants, secretaries and librarian and other employees of the Supreme Court of the State of California, and for the salaries and expenses incurred by the said court under the provisions of this act, and making an appropriation therefor, and to amend section 767 of the Political Code to provide for the salaries of the reporter and assistant reporters of the decisions of the Supreme Court and the district courts of appeal and repealing sections 739, 751½, 769, 770, 2313, 2314, 2315 and 2316 of the Political Code, and sections 265, 266 and 268 of the Code of Civil Procedure;



**Also: Senate Bill No. 893—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation.**

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 734, 741, 799, 805 and 893 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 725—An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration;

Also: Senate Bill No. 708—An act to repeal that certain act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicles; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925;

Also: Senate Bill No. 780—An act to amend section 122 of the "Bank Act," approved March 1, 1909, as amended, relating to the location of the principal office of the State Banking Department.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bills Nos. 725, 708 and 780 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act," relating to registration fees.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Senate Bill No. 709 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 52—An act to amend section 4277 of the Political Code, relating to salaries and fees of officials in counties of the forty-eighth class;

Also: Assembly Bill No. 79—An act to amend sections 6 and 32 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, and to add a new section thereto to be numbered 16a, relating to the sealer of weights and measures, and penalties under this act;

Also: Assembly Bill No. 171—An act to amend section 5 of the Hyde and Brand Law, relating to revocation of licenses;

Also: Assembly Bill No. 229—An act to declare certain reclaimed land in the city of Vallejo to be free from certain trusts and restrictions imposed on such land when granted to such city;

Also: Assembly Bill No. 255—An act to add a new section to the Penal Code, to be numbered 536c, relating to the handling of funds received for farm products sold on consignment;

Also: Assembly Bill No. 291—An act to amend sections 6, 9, 10 and 11 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921, as amended relating to cemetery districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 316—An act to amend section 4250 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the twenty-first class;

Also: Assembly Bill No. 320—An act to amend sections 4236a, 4236b, 4236c, 4236d, 4236e, 4236f, 4236g, 4236h, 4236i, 4236j, 4236k, 4236l, 4236m, inclusive, of the Political Code, relating to county and township officers in counties of the seventh class, the assistants, deputies, and other employees of said officers, and provided for the compensation of said officers and said assistants, deputies, and other employees;

Also: Assembly Bill No. 430—An act to amend section 4278 of the Political Code, relating to salaries and fees of officials in counties of the forty-ninth class;

Also: Assembly Bill No. 474—An act to amend section 232286 of the Political Code, relating to salaries of the county horticultural commissioner, his deputies, inspectors, and clerks of the counties of the sixth class;

Also: Assembly Bill No. 578—An act to amend sections 170 and 398 of the Code of Civil Procedure, relating to the disqualification of judges;

Also: Assembly Bill No. 602—An act to add five new sections to be numbered 16a, 16b, 16c, 16d, and 16e to an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to the establishment of an alternative method of procedure for the enforcement thereof by means of the organization and establishment of local food inspection and enforcement divisions of the State Board of Health.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 607—An act to add a new section to the Political Code to be numbered 4184, creating the office of public guardian;

Also: Assembly Bill No. 650—An act to amend section 632 of the Penal Code, relating to the protection of fish; and to repeal section 633 of the Penal Code, relating to the protection of fish;

Also: Assembly Bill No. 662—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry;

Also: Assembly Bill No. 803—An act to amend sections 2a, 7, 11, 14, 14a, 14d, 15½, 36, 37 and 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 28, 1917, as amended;

Also: Assembly Bill No. 924—An act to amend sections 1720, 1750a and 1617 of the Political Code, relating to schools;

Also: Assembly Bill No. 959—An act authorizing the State Director of Institutions, with the approval of the State Board of Control, to grant to the county of San Bernardino for highway and road purposes the use of certain lands belonging to the State of California situated in San Bernardino.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1031—An act to amend section 26 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to subrogation procedure in workmen's compensation cases;

Also: Assembly Bill No. 1044—An act to amend section 714 of the Code of Civil Procedure, relating to examination of judgment debtor concerning his property in certain cases;

Also: Assembly Bill No. 1080—An act to amend sections 1, 3, 4, 6, 7, 8 and 9 of an act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of

this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925, and to add thereto a new section to be numbered 13, relating to licenses for the operation of motor vehicles for transportation for hire or compensation, reports on such operations, the assessment of such operations, certain exemptions and the procedure relating to refunds of taxes or the cancellation of any assessment levied under the provisions of said act;

Also: Assembly Bill No. 1146—An act to amend section 10 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925;

Also: Assembly Bill No. 1208—An act to amend section 633a of the Political Code, relating to insurance brokers and agents.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1271—An act to amend sections 3718 and 3820 of the Political Code, relating to the lien of taxes on real property and improvements and the collection of personal property taxes by the assessor;

Also: Assembly Bill No. 1285—An act to amend sections 751 and 851 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to titles of officers of cities of the fifth and sixth classes;

Also: Assembly Bill No. 1288—An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of this State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of this State;

Also: Assembly Bill No. 1284—An act to add two new sections to be numbered 9 and 10 to an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of act in conflict herewith," approved June 9, 1923, relating to the status of prisoners at prison road camps and making an appropriation for the maintenance of such road camps.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 105—An act to add a new section to the Political Code to be numbered 737ee, relating to the salaries of superior court judges—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 105—An act to add a new section to the Political Code to be numbered 737ee, relating to the salaries of superior court judges.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FIVE.

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended April 14, 1927, strike out the semicolon and the word "two"; also strike out lines 6 to 8, inclusive, and insert in lieu thereof a period.

## AMENDMENT NUMBER TWO.

Strike out lines 5 to 8, inclusive, of the amended printed bill, and insert in lieu thereof the following: "Trinity is four thousand dollars."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 105?

The roll was called, and Assembly amendments to Senate Bill No. 105 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 105 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 2—An act to amend section 738c of the Political Code, relating to the salaries of the judges of the superior court of the county of Monterey—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 2—An act to amend section 738c of the Political Code, relating to the salaries of the judges of the superior court of the county of Monterey.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO.

## AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended April 14, 1927, strike out lines 5 to 8, inclusive, and insert in lieu thereof the following: "six thousand dollars."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 2?

The roll was called, and Assembly amendment to Senate Bill No. 2 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 2 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 804—An act to amend section 737b of the Political Code, relating to salaries of the judges of the superior court of the county of Imperial—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 804—An act to amend section 737*b* of the Political Code, relating to salaries of the judges of the superior court of the county of Imperial.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED FOUR.

## AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended April 14, 1927, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following: "five hundred dollars."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 804?

The roll was called, and Assembly amendment to Senate Bill No. 804 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 804 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 809—An act to amend section 737*c* of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 809—An act to amend section 737*c* of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED NINE.

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended April 14, 1927, strike out the comma and the words "thirty-five"; also strike out lines 6 to 8, inclusive, and insert in lieu thereof a period.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 809?

The roll was called, and Assembly amendment to Senate Bill No. 809 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 809 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 208—An act to amend



section 738*d* of the Political Code, relating to salaries of superior court judges in the counties of Tulare and Kings—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 208—An act to amend section 738*d* of the Political Code, relating to salaries of superior court judges in the counties of Tulare and Kings.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED EIGHT.

##### AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended in Senate on April 21, 1927, strike out the words "five thousand five hundred dollars", and insert in lieu thereof the words "six thousand dollars".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 208?

The roll was called, and Assembly amendment to Senate Bill No. 208 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 208 ordered to enrollment.

Also:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 865—An act to authorize the Attorney General, as prochein ami or next friend acting for and on behalf of the Indians of California, to bring suit or suits against the United States in the Court of Claims in the event that the Congress of the United States authorizes the same and making an appropriation to cover expenses incident thereto—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 865—An act to authorize the attorney general, as prochein ami or next friend acting for and on behalf of the Indians of California, to bring suit or suits against the United States in the Court of Claims in the event that the Congress of the United States authorizes the same and making an appropriation to cover expenses incident thereto.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED SIXTY-FIVE.

##### AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill as amended, after the word "thereto", add the following words: "from moneys appropriated to the attorney general".

##### AMENDMENT NUMBER TWO.

On page 2 of the printed bill as amended, strike out lines 7 to 15, inclusive.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 865?

The roll was called, and Assembly amendments to Senate Bill No. 865 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister,

Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.  
 NOES None.

Senate Bill No. 865 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Concurrent Resolution No. 20—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Concurrent Resolution No. 20—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters.

#### ASSEMBLY AMENDMENTS TO SENATE CONCURRENT RESOLUTION NUMBER TWENTY.

##### AMENDMENT NUMBER ONE.

In line 3 of the title of the printed measure, strike out the word "commission", and insert in lieu thereof the word "committee".

##### AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed measure, strike out the word "commission", and insert in lieu thereof the word "committee".

##### AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed measure, strike out the words "one member", and insert in lieu thereof the words "two members".

##### AMENDMENT NUMBER FOUR.

On page 1, lines 13 and 14, of the printed measure, strike out the words "one member", and insert in lieu thereof the words "two members".

##### AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed measure, strike out the word "commission", and insert in lieu thereof the word "committee".

##### AMENDMENT NUMBER SIX.

On page 1, line 16, of the printed measure, strike out the words "as like", and insert in lieu thereof the words "in the same manner as".

##### AMENDMENT NUMBER SEVEN.

On page 1, line 20, of the printed measure, strike out the word "commission", and insert in lieu thereof the word "committee".

##### AMENDMENT NUMBER EIGHT.

On page 1, line 24, of the printed measure, strike out the word "commission", and insert in lieu thereof the word "committee".

##### AMENDMENT NUMBER NINE.

On page 2, line 3, of the printed measure, strike out the words "legislative assembly", and insert in lieu thereof the words "session of the Legislature".

##### AMENDMENT NUMBER TEN.

On page 2, line 5, of the printed measure, strike out the word "commission", and insert in lieu thereof the word "committee".

The question being: Shall the Senate concur in Assembly amendments to Senate Concurrent Resolution No. 20?

The roll was called, and Assembly amendments to Senate Concurrent Resolution No. 20 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Concurrent Resolution No. 20 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT. I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said state by amending section 3 of article XII thereof, relating to the liability of stockholders and directors.

#### ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER FIVE.

##### AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, strike out the word "hereafter".

##### AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, after the word "Legislature", strike out the period, and insert in lieu thereof a semicolon and the following: "*and provided further*, that nothing in this section shall apply to any stockholder's liability already incurred against stockholders in corporations created prior to the adoption of this amendment. Nothing in the preceding paragraph of this section shall be held to apply to any exposition company organized to promote and carry on any fairs, sports, games or exhibitions authorized or to be held under authority of the constitution or laws of California."

The question being: Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 5?

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 5 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Constitutional Amendment No. 5 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT. I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED THIRTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, after the word "any", insert the word "such".

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the words "city and county", strike out the word "or", and insert in lieu thereof a comma.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, after the word "city", appearing the second time in said line, insert the words "or town", and strike out the following: "except cities of the fifth and sixth classes".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 513?

The roll was called, and Assembly amendments to Senate Bill No. 513 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tabbs, Weller, and West—32.

NOES—None.

Senate Bill No. 513 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT, I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 888—An act to provide for a survey of and works on the Santa Ana River Watershed and Basin for flood control and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 888—An act to provide for a survey of and works on the Santa Ana River watershed and basin for flood control and making an appropriation therefor.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED EIGHTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 11 to 14, both inclusive, and insert in lieu thereof the following: "of December, 1928; provided, however, that such sum shall be available when there is available or shall hereafter be made available by any political subdivision or subdivisions of the State of California or by the federal government, or by other interested party, or parties an equal amount for such purpose."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 888?

The roll was called, and Assembly amendment to Senate Bill No. 888 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister,



Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.  
 NOES—None.

Senate Bill No. 888 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 281—An act to add a new section to be numbered *Sh* to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 281—An act to add a new section to be numbered *Sh* to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED EIGHTY-ONE.

##### AMENDMENT NUMBER ONE.

In line 1 of the title of the amended printed bill, strike out the words "amend section eight of", and insert in lieu thereof the words "add a new section to be numbered eight *h* to".

##### AMENDMENT NUMBER TWO.

Strike out lines 4 and 5 of the title of the amended printed bill, and insert in lieu thereof the following: "approved March 6, 1907, as amended."

##### AMENDMENT NUMBER THREE.

On page 1, line 1, of the amended printed bill, strike out "Section 8 of" and insert in lieu thereof "A new section to be numbered *Sh* is hereby added to".

##### AMENDMENT NUMBER FOUR.

On page 1, line 4, of the amended printed bill, strike out the following: "is hereby amended".

##### AMENDMENT NUMBER FIVE.

Beginning with line 5, on page 1, of the amended printed bill, strike out all down to and including line 48 on page 3.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 281?

The roll was called, and Assembly amendments to Senate Bill No. 281 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.  
 NOES—None.

Senate Bill No. 281 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 284, 33a, 33b, 33c, 36 and 37a, relating to the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 28 $\frac{1}{2}$ , 33a, 33b, 33c, 36 $\frac{1}{2}$  and 37a, relating to the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FORTY.

## AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended, strike out the following: "five a,".

## AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, as amended, strike out the following: "nine a, twenty-eight a," and insert in lieu thereof the following: "twenty-eight and three-quarters, thirty-three a,".

## AMENDMENT NUMBER THREE.

Strike out all of line 6 of the title of the printed bill, as amended, and insert in lieu thereof the following: "six and three-quarters, and thirty-seven a, relating to".

## AMENDMENT NUMBER FOUR.

Strike out all of line 7 of the title of the printed bill, as amended.

## AMENDMENT NUMBER FIVE.

In line 8 of the title of the printed bill, as amended, strike out the following: "tions,".

## AMENDMENT NUMBER SIX.

On page 1 of the printed bill, as amended, strike out lines 1 to 18, inclusive.

## AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, as amended, strike out lines 1 to 38, inclusive.

## AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, as amended, strike out lines 39 to 41, inclusive, and insert in lieu thereof the following: "Section 1. That act of the Legislature of the State of California known and designated as the 'Acquisition and improvement act of 1925,' approved May 23, 1925, is hereby amended by adding thereto a new section to be numbered 28 $\frac{1}{2}$ , and to read as follows:".

## AMENDMENT NUMBER NINE.

On page 2, line 42, of the printed bill, as amended, strike out the figures and letter "28a", occurring after the word "Sec." and insert in lieu thereof the following: "28 $\frac{1}{2}$ ".

## AMENDMENT NUMBER TEN.

On page 3, line 1, of the printed bill, as amended, strike out the figure "4" and insert in lieu thereof the figure "2".

## AMENDMENT NUMBER ELEVEN.

On page 3, line 6, of the printed bill, as amended, after the word "damage", add the following new matter: "and damages".

## AMENDMENT NUMBER TWELVE.

On page 3, line 16, of the printed bill, as amended, insert a comma after the word "affected".

## AMENDMENT NUMBER THIRTEEN.

On page 3, line 17, of the printed bill, as amended, insert the word "thereto" after the word "party".

## AMENDMENT NUMBER FOURTEEN.

On page 3, line 18, of the printed bill, as amended, after the word "stipulation", insert the following new matter: "and for the entry of an interlocutory judgment in accordance therewith".

## AMENDMENT NUMBER FIFTEEN.

On page 3, line 20, of the printed bill, as amended, strike out the word "time" and insert in lieu thereof the word "date".

## AMENDMENT NUMBER SIXTEEN.

On page 3, line 21, of the printed bill, as amended, strike out the following: "except the plaintiff".

## AMENDMENT NUMBER SEVENTEEN.

On page 3, line 22, of the printed bill, as amended, strike out the first word in said line, said word being "such", and insert in lieu thereof the word "all".

## AMENDMENT NUMBER EIGHTEEN.

On page 3, line 31, of the printed bill, as amended, strike out the period following the word "stipulation", and insert in lieu thereof the following: "; *provided, however,* that such notice given by the clerk of the court shall recite the names of the parties to whom payments are proposed to be made for interests in the land sought to be condemned, together with the amount of money so proposed to be paid to each of such parties, and a reference to the parcel of land for which such payment is proposed to be made, as said parcel is designated in the complaint."

## AMENDMENT NUMBER NINETEEN.

On page 3, line 43, of the printed bill, as amended, strike out "After hearing such", and insert in lieu thereof the following:

At or after the time of said hearing, if no objections are filed to the entry of such interlocutory judgment, the court may, without taking any evidence, enter an interlocutory judgment in accordance with such stipulation, adjudging that upon payment in accordance therewith, the property therein mentioned shall be condemned to the use of the plaintiff and dedicated to the use specified in the complaint.

If objections are filed against the entry of such interlocutory judgment, the court may similarly, after hearing such objections and any testimony above referred to, enter an interlocutory judgment if the court finds that the amounts stipulated as the value of the property taken and the damages to property not actually taken but injuriously affected constitute just compensation.

Whether objections are filed to the entry of such interlocutory judgment or whether no such objections are filed, no findings of fact or conclusions of law need be prepared or filed, but in the event that the court finds that the amounts set forth in such stipulation constitute more or less than just compensation, no interlocutory judgments shall be entered and the action shall proceed as to the parcel of land as to which such stipulation is made, in accordance with the provisions of section 29 of this act: *provided, however,* that if the amounts set forth in such stipulation are, in the opinion of the court, in excess of just compensation, the court may find what amounts constitute just compensation and enter an interlocutory judgment therefor, if the parties to such stipulation all consent thereto in open court or in writing within ten days after such finding.

## AMENDMENT NUMBER TWENTY.

On page 3 of the printed bill, as amended, strike out all of lines 44 to 52, inclusive.

## AMENDMENT NUMBER TWENTY-ONE.

On page 4 of the printed bill, as amended, strike out all of lines 1 to 11, inclusive.

## AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 19, of the printed bill, as amended, strike out the word "any" preceding the word "reason", and insert in lieu thereof the word "the".

## AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 36, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "3".

## AMENDMENT NUMBER TWENTY-FOUR.

Strike out all of line 43, on page 4, of the printed bill, as amended, and insert in lieu thereof the following: "defendant may waive a trial by a court or jury and permit the matter".

## AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 12, of the printed bill, as amended, insert a comma after the word "for".

## AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 22, of the printed bill, as amended, insert the word "no" before the word "exceptions".

## AMENDMENT NUMBER TWENTY-SEVEN.

On page 5 of the printed bill, as amended, strike out lines 23 and 24, and insert in lieu thereof the following: "acquisition may proceed prior to the final determination of compensation and damages with respect to those parcels as to which exceptions have been filed".

## AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 25, of the printed bill, as amended, strike out the following: "tions".

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 28, of the printed bill, as amended, strike out the figure "6", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER THIRTY.

On page 5, line 36, of the printed bill, as amended, strike out the figure "7", and insert in lieu thereof the figure "5", and capitalize the letter "s" in the word "said".

AMENDMENT NUMBER THIRTY-ONE.

On page 5, line 37, of the printed bill, as amended, strike out the figures and letter "36a", and insert in lieu thereof the following: "36".

AMENDMENT NUMBER THIRTY-TWO.

On page 5 of the printed bill, as amended, strike out all of lines 38 and 39, and insert in lieu thereof the following: "Sec. 36. Upon the entry of any interlocutory judgment".

AMENDMENT NUMBER THIRTY-THREE.

On page 5, line 40, of the printed bill, as amended, insert the following after "ment"; "or judgments".

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 40, of the printed bill, as amended, strike out the word "one", and insert in lieu thereof the words "a single".

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 43, of the printed bill, as amended, strike out the word "the" following the word "of".

AMENDMENT NUMBER THIRTY-SIX.

On page 5, line 46, of the printed bill, as amended, strike out the period following the word "judgment", and insert in lieu thereof the following: "or judgments."

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5, line 51, of the printed bill, as amended, strike out the comma following the word "judgment", and insert in lieu thereof the following: "or judgments,".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 11, of the printed bill, as amended, insert the words "or judgments" after the word "judgment".

AMENDMENT NUMBER THIRTY-NINE.

On page 6, line 13, of the printed bill, as amended, strike out the period following the word "judgment" and insert in lieu thereof the following: "or judgments."

AMENDMENT NUMBER FORTY.

Strike out line 15 on page 6 of the printed bill, as amended, and insert in lieu thereof the following: "interlocutory judgment or judgments, except the interlocutory judgment or judgments".

AMENDMENT NUMBER FORTY-ONE.

On page 6, line 38, of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the word "sections", and insert the following new matter after the figure "36": "and 36½".

AMENDMENT NUMBER FORTY-TWO.

On page 6, line 42, of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the word "sections", and insert the following new matter after the figure "36": "and 36½".

AMENDMENT NUMBER FORTY-THREE.

On page 6, line 44, of the printed bill, as amended, strike out the words "conform with", and insert in lieu thereof the words "carry out".

AMENDMENT NUMBER FORTY-FOUR.

On page 7, line 32, of the printed bill, as amended, strike out the word "which", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER FORTY-FIVE.

On page 7, line 33, of the printed bill, as amended, strike out the word "reduces", and insert in lieu thereof the word "reduce".

AMENDMENT NUMBER FORTY-SIX.

Strike out all of lines 35 to 52, inclusive, on page 6 of the printed bill, as amended, and insert in lieu thereof the following:

In the event that acquisition bonds or immediate possession bonds are issued at more than one time, as permitted under this section, then each series shall be



designated in a convenient manner, following the provisions of section 39 hereof, as, for example: Series A-one, A-two, and similarly in sequence in the order in which bonds are ordered issued.

AMENDMENT NUMBER FORTY-SEVEN.

Strike out all of lines 1 to 18, inclusive, on page 8 of the printed bill, as amended.

AMENDMENT NUMBER FORTY-EIGHT.

On page 8, line 19, of the printed bill, as amended, strike out the figure "8", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER FORTY-NINE.

On page 8 of the printed bill, as amended, add the following new matter after line 33:

It is hereby expressly provided that the procedure provided by sections 33a, 33b, 33c, 36 $\frac{1}{2}$  and 37a, taken in conjunction with other provisions of this act not inconsistent therewith, constitutes an alternative and supplementary procedure authorizing the entry of separate interlocutory judgments by stipulation with respect to the various parcels of land sought to be acquired, and authorizing the issuance of bonds at different times to pay for the acquisition of the various parcels under such separate interlocutory judgments, but such alternative and supplementary procedure shall be, and is hereby authorized only in those cases where that which is to be done consists solely of the acquisition of land for the widening of a public way or ways in existence at the date of the initiation of the proceedings for such acquisition, or the acquisition of land for the opening or extension of a public way or ways in cases where such land to be acquired, together with land theretofore in use as a public way or as to which a final judgment has theretofore been entered condemning the same for a public way, will constitute a continuous public way. Such procedure is not authorized when that which is to be done includes the construction of any improvement in a public way.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 740?

The roll was called, and Assembly amendment to Senate Bill No. 740 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 740 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 377—An act to amend section 1203 of the Penal Code, relating to the granting of probation after conviction in criminal cases and permitting the pleading of said conviction where the defendant is prosecuted for a subsequent offense.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SEVENTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended April 19, 1927, strike out the comma following the word "imprisonment", and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, as amended April 19, 1927, strike out the following: "provided that the judge must," and strike out lines 11 to 15, inclusive.

AMENDMENT NUMBER THREE

On page 2, line 30, of the printed bill, as amended April 19, 1927, strike out the word "five", and insert in lieu thereof the word "seven".

AMENDMENT NUMBER FOUR.

On page 2, line 34, of the printed bill, as amended April 19, 1927, strike out the word "ten", and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FIVE.

On page 2, line 37, of the printed bill, strike out the word "five", and insert in lieu thereof the word "seven".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 377?

The roll was called, and Assembly amendments to Senate Bill No. 377 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.  
 NOES—None.

Senate Bill No. 377 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended in the Senate on March 22, 1927, strike out the comma following the word "California", and the balance of said line, and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in the Senate March 22, 1927, strike out all of lines 11 and 12.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 82?

The roll was called, and Assembly amendments to Senate Bill No. 82 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.  
 NOES—None.

Senate Bill No. 82 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses

thereof and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED SIXTY-THREE.

##### AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, following the word "district", strike out the period and insert a comma and the following words: "*provided*, that no such park, recreation or parkway district, shall embrace within the boundaries of such proposed park, recreation or parkway district, any land or lands lying nearer than one mile to the Pacific ocean or any inlet, bay, estuary or arm of the ocean or shall any change be made in the boundaries of such proposed districts so as to embrace any such lands."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 263?

The roll was called, and Assembly amendment to Senate Bill No. 263 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 263 ordered to enrollment.

Also:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Joint Resolution No. 11—Relating to securing the aid of the United States government in establishing a basis for execution of some comprehensive plan for development of the water resources of California—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Joint Resolution No. 11—Relating to securing the aid of the United State government in establishing a basis for execution of some comprehensive plan for development of the water resources of California.

#### ASSEMBLY AMENDMENTS TO SENATE JOINT RESOLUTION NUMBER ELEVEN.

##### AMENDMENT NUMBER ONE.

In the title of the printed resolution, omit the words "the coordinated", and insert in lieu thereof the words "some comprehensive".

##### AMENDMENT NUMBER TWO.

On page 1 of the printed resolution, omit lines 5, 6 and 7, and in lieu thereof insert the following: "realized that many features of any comprehensive plan for the development of the water resources of California involve".

## AMENDMENT NUMBER THREE.

On page 2 of the printed resolution, omit the word "establish" in line 10 and all of line 11, and in lieu thereof insert the following: "working out some approved and comprehensive plan for".

The question being: Shall the Senate concur in Assembly amendments to Senate Joint Resolution No. 11?

The roll was called, and Assembly amendments to Senate Joint Resolution No. 11 concurred in by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

**NOES**—None.

Senate Joint Resolution No. 11 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 701—An act to amend Political Code by adding thereto a section to be known as section 633aa, relating to license to act as life, accident or health insurance agent and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 701—An act to amend Political Code by adding thereto a section to be known as section 633aa, relating to license to act as life, accident or health insurance agent.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED ONE.

## AMENDMENT NUMBER ONE.

On page 1, in the last line of title of the printed bill, after the word "life", insert the words "accident or health", and strike out the word "broker", and in lieu thereof insert the word "agent".

## AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, after the word "as", insert the words "a life, health or accident".

## AMENDMENT NUMBER THREE.

On page 1, lines 18 and 19, of the printed bill, strike out the words "but he may act as a life insurance broker.", and insert the following: "without obtaining a license hereunder".

## AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, strike out the word "issued", and in lieu thereof insert the word "issue".

## AMENDMENT NUMBER FIVE.

On page 2, line 39, of the printed bill, after the word "life", insert the words "or health".

## AMENDMENT NUMBER SIX.

On page 4, line 19, of the printed bill, as amended April 1, 1927, after the word and period "misdemeanor.", begin a new paragraph to read as follows:

Nothing in this section shall be construed to apply to mutual benefit and life insurance associations organized and operating under sections 452a and 453 of the Civil Code, their solicitors or agents.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 701?



The roll was called, and Assembly amendments to Senate Bill No. 701 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 701 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 48—An act reserving certain lands situated in Mission Bay, in the county of San Diego, to be used as a State park, providing for the management of the same by a commission; prescribing the duties and powers of such commission—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 48—An act reserving certain lands situate in Mission Bay, in the county of San Diego, to be used as a State park, providing for the management of the same by the Department of Natural Resources; prescribing the duties and powers of such department.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FORTY-EIGHT.

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in the third line of the title, strike out the words "a commission", and insert in lieu thereof the following: "the department of natural resources".

##### AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in the fourth line of the title, strike out the word "commission", and insert in lieu thereof the word "department".

##### AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out the words "a board of three commissioners to be appointed by", and also strike out all of lines 10 and 11, and insert in lieu thereof the following: "the department of natural resources".

##### AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, strike out the word "commission", and insert in lieu thereof the word "department".

##### AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, strike out the word "commission", and insert in lieu thereof the word "department".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 48.

The roll was called, and Assembly amendments to Senate Bill No. 48 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 48 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 802—An act to amend section 19a5 of the Juvenile Court Law approved June 5, 1915, as amended, relating

to compensation and expenses of probation officers, their deputies, assistants and employees in counties of the fifth class—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 802—An act to amend section 19.5 of the Juvenile Court Law, approved June 5, 1915, as amended, relating to compensation and expenses of probation officers, their deputies, assistants and employees in counties of the fifth class.

#### ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED TWO.

##### AMENDMENT NUMBER ONE.

On page 1 of the amended printed bill, strike out lines 9 to 21, inclusive, and insert in lieu thereof the following:

Sec. 19.5. In counties of the fifth class there shall be one probation officer and seven assistant probation officers.

The salaries of said officers shall be as follows:

Probation officer, two thousand seven hundred dollars per annum; and each of said assistant probation officers, two thousand one hundred dollars per annum.

The said probation officer is hereby allowed one stenographer at a salary of one thousand five hundred dollars per annum, two stenographers at salaries of one thousand two hundred dollars each per annum, and one clerk whose salary shall be one thousand two hundred dollars per annum.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 802?

The roll was called, and Assembly amendment to Senate Bill No. 802 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray, Kline, Maloney, McKanley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 802 ordered to enrollment.

Also:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED SIXTY-SIX.

##### AMENDMENT NUMBER ONE.

In section 2, on page 4, line 2, of the printed bill, after the word "known", insert "the use which it is proposed to make of such park".

##### AMENDMENT NUMBER TWO.

In section 3, on page 4, line 28, of the printed bill, after the word "known", insert "and the use which it is proposed to make of such park".

## AMENDMENT NUMBER THREE.

Section 6 of the printed bill, shall be amended to read in line 40, page 5: "after such ordinance becomes effective, the land therein described shall be deemed to be held by such municipal corporation in fee, the sole limitation upon the use of such lands shall be that said lands shall be used only for municipal, charitable, or educational purposes; *provided, however,* that in the event that such land shall have been acquired for park purposes by the expenditure of moneys derived from the sale of bonds authorized for park purposes, and in the event the land so acquired for park purposes shall be placed in any other municipal use, they shall be transferred to such bond fund from such other municipal fund, as shall be determined upon by the legislative body of the city, the reasonable market value of such land at the date of the ordinance discontinuing the use thereof for park purposes and the money so transferred shall be devoted only to the purposes for which such bonds were authorized. Moneys placed in any bond fund hereunder shall be subject to diversion to other use under the terms and limitations of any act of the Legislature, providing for the diversion of money derived from the sale of bonds devoted for a particular purpose to some other or different purpose."

## AMENDMENT NUMBER FOUR.

On page 6, section 7, of the printed bill, strike out line 13.

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 266?

The roll was called, and Assembly amendments to Senate Bill No. 266 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 266 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes.

## ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED NINETY-EIGHT.

## AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the letter "a" following the word "auditor", strike out the word "detailed".

## AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed bill, after the word "previous", strike out the word "current".

## AMENDMENT NUMBER THREE.

On page 3, line 43, of the printed bill, after the word "printed", insert the words "or mimeographed".

## AMENDMENT NUMBER FOUR.

On page 4, line 23, of the printed bill, after the word "first", insert the words "business day".

## AMENDMENT NUMBER FIVE.

On page 6, line 26, of the printed bill, after the word "year", strike out the comma and the words "and said board", and insert in lieu thereof a period.

The question being : Shall the Senate concur in Assembly amendments to Senate Bill No. 298 ?

The roll was called, and Assembly amendments to Senate Bill No. 298 concurred in by the following vote :

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray : Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.  
 NOES—None.

Senate Bill No. 298 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 299—An act to amend sections 1830, 1836 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 299—An act to amend sections 1830, 1836 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED NINETY-NINE.

AMENDMENT NUMBER ONE.

On page 3, line 39, of the printed bill, after the word "sections" at the end of the line, insert the following : "1612a nor sections".

The question being : Shall the Senate concur in Assembly amendment to Senate Bill No. 299 ?

The roll was called, and Assembly amendment to Senate Bill No. 299 concurred in by the following vote :

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray : Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.  
 NOES—None.

Senate Bill No. 299 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets.



## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED.

## AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after the period following the word "district", insert the word "If", and commence the word "The" following with a small letter.

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 300?

The roll was called, and Assembly amendment to Senate Bill No. 300 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Kline, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Slater, Swing, Tubbs, Weller, and West—32.

NOES—None.

Senate Bill No. 300 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act approved May 30 1923—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act approved May 30, 1923.

## ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THIRTY-TWO.

## AMENDMENT NUMBER ONE.

On page 3 of the printed bill, as amended April 20, 1927, in line 14, strike out the word "fifteen" and insert in lieu thereof the word "ten".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 32?

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 32 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Kline, Lyon, Maloney, McKinley, Murphy, Pedrotti, Rush, Sharkey, Slater, Swing, Tubbs, Wagy, Weller, West, and Young—35.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 157—An act to amend sections 4, 6, 8 and 13 and to add two new sections to be numbered 24 and 38 to an act entitled "An act to provide for the establishment and change of grade of public streets, avenues, lanes, alleys, courts, places and rights of way forming the exterior boundaries of any municipality, whether partly or wholly within or without said boundaries, or extending into the territory of two or more municipalities or extending into the territory of one or more municipalities, and unincorporated territory, and providing for work upon and the improvement thereof, and providing for the construction of sanitary and storm sewers, drains and drainage systems, together with any and all appurtenances and appurtenant work in connection with any of such work or improvements; to assess the whole or any portion of the costs and expenses thereof upon private

property, and to provide for a system of local improvement bonds to represent the assessments for such costs and expenses and for the payment and effect of such bonds," approved April 21, 1911, as amended, relating to the street improvements.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and fifty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Murphy.

The Secretary was directed to call the roll on passage of Assembly Bill No. 177 of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 177 refused passage by the following vote:

AYES—Senators Allen, J. M., Boggs, Canepa, Crowley, Fellom, Garrison, Gray, Hollister, Hurley, Inman, Johnson, Jones, H. C., Maloney, Murphy, Pedrotti, Sharkey, Swing, and Tubbs—18.

NOES—Senators Allen, N. M., Baker, Breed, Chamberlin, Christian, Cobb, Evans, Handy, Ingram, Jones, Ray, Kline, Lyon, McKinley, Mueller, Rush, Slater, Waggy, Weller, West, and Young—20.

#### ADJOURNMENT.

At eleven o'clock and fifty-three minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Friday, April 29, 1927.

#### IN SENATE.

#### SENATE CHAMBER, SACRAMENTO, Friday, April 29, 1927.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

#### ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Neilson, Rush, Sharkey, Slater, Swing, Tubbs, Waggy, Weller, West, and Young—37.

Quorum present.

#### PRAYER.

Prayer was offered by the Chaplain, Rev. Byrant Wilson.

#### READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 28, 1927, the further reading was dispensed with, on motion of Senator Rush.

#### LEAVES OF ABSENCE.

Senator Kline was, on motion of Senator Evans, granted leave of absence for this day.

Senator Taylor was, on motion of Senator Breed, granted leave of absence for this day.

## PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Mueller, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Raymond Reynolds of Big Bear Lake, California; Ralph H. Davenport of Los Angeles, California, and James P. Fitzpatrick of Los Angeles, California.

On request of Senator Boggs, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Wallace Harrison of Stockton, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Miss Nora Moloney of Sacramento, California.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 76—An act to amend section 4 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, so as to require the keeping of records of the names and hours worked by female employees in all occupations subject to the provisions of the act, which records shall be accessible at all reasonable hours to the Commissioner of the Bureau of Labor Statistics, his deputies and agents, to whom is delegated the duties of enforcing the provisions of the act, and making proof that any defendant was the manager or superintendent of any place of employment subject to the provisions of the act, at the time any female is alleged to have been employed therein in violation thereof, prima facie evidence that the said defendant employed and suffered and permitted the said female to so work, so as to bring him within the penal provisions of the said act, also making the records required by this act prima facie evidence, sufficient to sustain a conviction, if they show a violation of this act.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the report of Committee on Conference concerning Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914—recommending the appointment of a Committee on Free Conference and the following Assemblymen were appointed: Sewell, Jacobson and Roland, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 586—An act to provide for the purchase by the State of California under certain conditions of certificates of sale of property sold for delinquent assessments of irrigation districts, and for the disposition through the State Land Settlement Board of property acquired by the State pursuant to the purchase of such certificates, and for the management by the

California Bond Certification Commission, under certain conditions, of irrigation districts in which the State has so acquired an interest in lands.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### SENATOR FELLOM IN THE CHAIR.

At ten o'clock and ten minutes a.m., Senator Fellom of the Twenty-first District was called to the chair.

#### REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

#### SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914—reports that it has met a like committee of the Assembly, consisting of Assemblymen Sewell, Jacobson and Roland, and that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments; and that the bill be further amended as follows:

#### AMENDMENT NUMBER ONE.

Following the word "property", in line 3 of the title of the printed bill, as amended in the Assembly April 15, 1927, strike out the comma and all the rest of the title, and insert a period.

#### AMENDMENT NUMBER TWO

On page 3, line 15, of the printed bill, as amended in the Assembly April 15, 1927, following the word "property", strike out the period, and insert a semicolon and the following: "provided, however, that debts owing to the defendant by a banking corporation or association maintaining branch offices, or credits or other personal property, whether or not the same is capable of manual delivery, belonging to the defendant and in the possession of or under the control of such banking corporation or association, must be attached by leaving a copy of the writ and the notice with the manager or any other officer of such banking corporation or association, at the office or branch thereof at which the account evidencing such indebtedness of the defendant is carried, or at which such banking corporation or association has credits or other personal property belonging to the defendant in its possession or under its control; and no attachment shall be effective as to any debt owing by such banking corporation or association if the account evidencing such indebtedness is carried at an office or branch thereof not so served, or as to any credits or other personal property in its possession or under its control at any office or branch thereof not so served."

#### AMENDMENT NUMBER THREE.

On page 3, line 10, of the printed bill, as amended in the Assembly on April 15, 1927, strike out the word "or" after the comma after the word "defendant", and insert in lieu thereof the word "are".

BAKER,  
HANDY,  
EVANS,

Senate Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report of Committee on Free Conference and amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Ingram, Johnson, Jones, Ray, McKinley, Rush, Slater, Swing, Wagy, Weller, West, and Young—24.

NOES—None.

Senate Bill No. 327 and report of Committee on Free Conference ordered transmitted to the Assembly.



Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of Committee on Free Conference concerning Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property, requiring written instructions, the prepayment of fees, and notification to the sheriff and registrar of titles when the property is registered under the Land Title Law, as adopted by initiative act at the election of November 3, 1914.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 327 ordered to enrollment.

#### RESOLUTIONS.

The following resolutions were offered:  
By Senator Crowley:

*Resolved*, That the sum of one thousand and thirty dollars (\$1,030) or so much thereof as may be necessary, be and the same is hereby appropriated out of the fund for pay of officers, clerks and other employees of the Senate, to the order of Joseph A. Beek, Secretary, for services of self and clerks in arranging and preparing the bills, books and all other records of the Senate, in filing the same with the Secretary of State as provided by law.

For the further purpose of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal of the Senate of the forty-seventh session of the Legislature, and making the information therein contained readily available for the use of members of the Legislature and the State officers and general public as a permanent record of the business transacted during the said forty-seventh session.

And for the further purpose of compiling, preparing and having printed after final adjournment a final calendar of the legislative business of the forty-seventh session, said calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time and any and all such other information as will provide a perfect history of the session's business and a guide for the information of subsequent sessions of the Legislature. When such final calendar is prepared, the Secretary is directed to forward one copy to each public library in the State which may apply for same, and one copy to each member of the Senate; and be it further

*Resolved*, That the State Controller is hereby authorized and directed to draw his warrant or warrants upon the unexpended balance of the fund provided for the pay of officers, clerks, and all other employees of the Senate in favor of Joseph A. Beek, Secretary of the Senate, in the sum of one thousand and thirty dollars (\$1,030) or so much thereof as may be necessary, and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, Ray, McKinley, Rush, Sharkey, Slater, Wagye, Weller, West, and Young—24.  
NOES—None.

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Senate in a sum not to exceed nine hundred fifty dollars (\$950) in favor of Joseph A. Beek, Secretary of the Senate, and the Treasurer is hereby directed to pay the same, for postage, telephone service, Western Union, Postal Telegraph, supplies, rental of typewriters, bill from Bancroft Whitney, illuminating resolutions and any incidental expenses in connection with completing the work of the forty-seventh session of the Senate of the State of California. Vouchers and receipts for all expenditures to be furnished to the Controller.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

**AYES.**—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Handy, Hollister, Ingram, Jones, Ray; McKinley, Rush, Slater, Wagy, Weller, West, and Young—22  
**NOES.**—None.

Also:

**WITHDRAWS.** The members of the Senate will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the close of this session; therefore, he ret

**Resolved,** That the Sergeant at Arms, Joseph F. Nolan, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping the same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Senate in favor of said Joseph F. Nolan, in a sum not to exceed six hundred fifty dollars (\$650), and the State Treasurer is hereby directed to pay the same; and it is further directed that said Joseph F. Nolan furnish to the Controller vouchers and receipts for all expenditures made by him.

Resolution read.

Senator Allen, J. M., moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

**AYES.**—Senators Allen, J. M., Allen, N. M., Baker, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, Ray, McKinley, Rush, Slater, Wagy, Weller, West, and Young—23  
**NOES.**—None.

Also:

**Resolved,** That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of one hundred seventy-nine dollars and forty-six cents (\$179.46) to pay the following bills:

Ryan's Confectionery, lunches furnished Senate	\$132 50
Western Union Co., bill to April 19th	35 74
Pinnell Stationery Co., stationery, etc.	11 25

Total	\$179 46
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The same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

**AYES.**—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Jones, Ray; Maloney, McKinley, Sharkey, Slater, Swing, Wagy, Weller, West, and Young—25  
**NOES.**—None.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plans for penalties for nonconformance thereto, that building permits shall conform to official master plans, for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties; recommending the appointment of a Committee on Free Conference and the following Assemblymen were appointed: Woolwine, Sewell and Little, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By C. W. BOOTH, Assistant Clerk.

## REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plats for penalties for nonconformance thereto, that building permits shall conform to official master plans, for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties—reports that it has met a like committee of the Assembly, consisting of Assemblymen Woolwine, Sewell and Little, and that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments and that the bill be further amended as follows:

## AMENDMENT NUMBER ONE.

On page 14, line 46, of the printed bill, as amended in Assembly April 18, 1927, after the word "structure", strike out the comma and the balance of the line; also the words "owned or operated", in line 47.

McKINLEY,  
GRAY,  
WAGY.

Senate Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendment.

The roll was called, and the report of Committee on Free Conference and amendment adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Gray, Hardy, Hollister, Jones, H. C., Jones, Ray; McKinley, Pedrotti, Rush, Sharkey, Slater, Swing, Wagy, Weller, West, and Young—25.

NOES—None.

Senate Bill No. 585 and report of Committee on Free Conference ordered transmitted to the Assembly.

## LIEUTENANT GOVERNOR IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plats for penalties for nonconformance thereto, that building permits shall conform to official master plans, for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 585 ordered to enrollment.

## REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

## ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 203—An act to amend sections 3, 4, 5, 7, 9, 11, 31, 35, 39, 40, 41 and 50 of an act of the Legislature of the State of California known and desig-



nated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, relating to providing estimates of cost, definite time of notice, effect of attack for lack of dedication, date of accrual of obligation of public body to contribute, abandonment of proceedings, mode of assessing and levying special assessment taxes, filing copies of specifications, fixing time for receiving bids, employment of attorney to prepare proceedings, time within which bonds are to be paid, time of payment of interest and manner of fixing rate thereof, sale of bonds, signers of objections, the including in acquisitions of removals, relocations and structural changes, and definition of terms, and to add two new sections to said act, to be numbered sections 28 $\frac{1}{2}$  and 36 $\frac{1}{2}$ , relating to the interest rates and sale of acquisition bonds and immediate possession bonds;

Also: Senate Bill No. 238.—An act to amend section 12 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the issuance, renewal, supervision and revocation of real estate brokers' and salesmen's licenses;

Also: Senate Bill No. 342.—An act requiring certain reports to be made concerning children with impaired hearing;

Also: Senate Bill No. 89.—An act to validate proceedings for the annexation of territory to, incorporation in, and annexation thereof within, municipal corporations;

Also: Senate Bill No. 106.—An act to amend section 627b of the Penal Code, relating to the shipment of fish and game;

Also: Senate Bill No. 185.—An act creating a commission to prepare and submit a report on juvenile delinquency, embodying a plan for the prevention of juvenile delinquency and for the care and training of pre-delinquent, delinquent, psychopathic and maladjusted children, and providing for the payment of the expenses of the commission;

Also: Senate Bill No. 194.—An act to amend section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations;

Also: Senate Bill No. 200.—An act to amend sections 1, 3 and 8 and add a new section to be known as 3a of an act entitled "An act to define commercial feeding stuffs and to establish a standard therefor, providing for the branding and labeling of same, empowering the State Board of Health to enforce the provisions of the act and providing penalties for the violation of same," approved May 16, 1919, as amended;

Also: Senate Bill No. 232.—An act to amend section 294 of the Penal Code, relating to custody of dead bodies;

Also: Senate Bill No. 229.—An act to amend sections 7 and 8 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Senate Bill No. 230.—An act to amend section 7 of an act entitled "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in county, cities and counties, cities and incorporated towns under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration, and fixing penalties for violation of this act," approved March 18, 1905, as amended, relating to the powers and duties of coroners;

Also: Senate Bill No. 264.—An act to amend section 4232a of the Political Code, relating to the compensation of jurors in counties of the third class;

Also: Senate Bill No. 267.—An act to amend section 3052 of the Civil Code providing for the sale of property by a lien holder, notice of sale and disposition of the proceeds;

Also: Senate Bill No. 276.—An act to add a new section to the Political Code, to be numbered section 4056c, relating to the power of boards of supervisors to establish and maintain public airports within their respective counties;

Also: Senate Bill No. 280.—An act to amend section 4300f of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts;



Also: Senate Bill No. 358—An act to amend the California Irrigation District Act, approved March 31, 1897, by adding a new section to be numbered 41c, relating to payment of assessments in two installments, and repealing an act inconsistent herewith;

Also: Senate Bill No. 379—An act to amend section 1151 of the Penal Code, relating to general verdicts in criminal cases;

Also: Senate Bill No. 387—An act to amend sections 1016, 1017, and 1020 of the Penal Code, to add a new section to the Penal Code, to be numbered 1025, and to repeal section 1167 of the Penal Code, relating to procedure when defendant in a criminal case claims insanity as a defense;

Also: Senate Bill No. 448—An act to amend the title and section 1 of an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended;

Also: Senate Bill No. 449—An act to amend sections 4039 and 4076 of the Political Code, relating to claims against the county and records thereof;

Also: Senate Bill No. 463—An act to amend section 626g of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 465—An act to amend section 626k of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 470—An act to amend section 1734c of the Political Code, relating to schools;

Also: Senate Bill No. 484—An act to amend section 563a of the Penal Code, relating to false entries;

Also: Senate Bill No. 485—An act to add a new section to the Civil Code of the State of California, to be numbered 2290, relating to rights of banks purchasing other banking institutions;

Also: Senate Bill No. 486—An act to add a new section to the Civil Code, to be numbered section 3265g, relating to the stopping of payment of checks;

Also: Senate Bill No. 536—An act to amend section 1543a of the Political Code, relating to the payment of interest on unpaid orders or demands against any school district;

Also: Senate Bill No. 553—An act to reserve from sale certain State lands, being the northeast quarter of the southwest quarter of section 32, township 8 north, range 4 west, and the west 54.24 acres of lot 2 of northwest quarter of section 5, township 5 north, range 12 east, San Bernardino base and meridian, in San Bernardino County, and providing for the use thereof;

Also: Senate Bill No. 592—An act to amend section 494 of the Civil Code of the State of California, relating to the sale of property and franchises of railroad corporations;

Also: Senate Bill No. 606—An act to permit the Fish and Game Commission to control predatory fish and animals;

Also: Senate Bill No. 612—An act regulating the importation into the State of California of live wild birds, mammals and reptiles; defining certain importations of same to be a public nuisance and providing for a penalty for violations;

Also: Senate Bill No. 690—An act to amend sections 2906, 290c, 290d, 290e and 290f of the Civil Code, relating to corporations;

Also: Senate Bill No. 851—An act to validate the organization and existence of county water districts;

Also: Senate Bill No. 815—An act to amend section 1 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,' approved June 12, 1913, as amended; and add a new section to be numbered 7½, relating to the conduct of training schools for nurses;

Also: Senate Bill No. 841—An act to amend section 5 of the act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913, as amended;

Also: Senate Bill No. 845—An act providing for the use of the labor of inmates of any State prison or of the Preston School of Industry upon public roads and defining the powers and duties of public officials in relation thereto;

Also: Senate Bill No. 849—An act to amend an act entitled "An act to provide for the formation of levee districts in the various counties of this State, and to provide for the erection of levees, dikes and other works for the purpose of protecting the lands within such districts from overflow and to levy assessments to erect and

construct and maintain such levees, dikes and other works and to pay the necessary costs and expenses of maintaining said districts," approved March 20, 1905, as amended, by adding a new section thereto to be numbered section 26 to provide for the dissolution of such levee districts;

Also: Senate Bill No. 868—An act to amend section 3092 of the Civil Code, relating to the authorization of the distribution of the capital stock or capital assets of a corporation among its stockholders, or any of them, and the procedure therefor;

Also: Senate Bill No. 877—An act to amend section 307 of the Civil Code, relating to corporations;

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding to article I thereof, a new section to be numbered 141, relating to the taking of parcels of land by eminent domain where such border upon public improvements;

Also: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California that the constitution of said state be amended by adding to article XVI thereof, a new section to be numbered 5, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of \$1,000,000 for the purpose of providing a fund to be used and disbursed for the purpose of an Olympiad to be held in California in 1932;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1927, at 4 o'clock p.m.

JONES, RAY, Chairman.

#### REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce bill was presented:

By Senator Slater:

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV, of the constitution, I request permission to introduce a bill having the following title:

An act to add a new section to be numbered 1936 to part III, title IV, chapter II, article I of the Political Code, relating to the powers of the Adjutant General.

Request referred to Committee on Rules.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

#### ON RULES

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Slater to introduce a bill entitled "An act to add a new section to be numbered 1936 to part III, title IV, chapter II, article I of the Political Code, relating to the powers of the Adjutant General—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—3; absent—2.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, West, and Young—32.

NOES—None.

#### INTRODUCTION OF BILL.

The following bill was introduced:

By Senator Slater: Senate Bill No. 897—An act to add a new section to be numbered 1936 to part III, title IV, chapter II, article I of the Political Code, relating to the powers of the Adjutant General.

Bill read first time, without reference to committee.

## CASE OF URGENCY.

The following resolution was offered:

By Senator Slater:

*Resolved*, That Senate Bill No. 897 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, West, and Young—32.

NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering at this time Senate Bill No. 897.

Senate Bill No. 897—An act to add a new section to be numbered 1936 to part III, title IV, chapter II, article I of the Political Code, relating to the powers of the Adjutant General.

Bill read second time, considered engrossed, and ordered on file for third reading.

Bill read third time.

## RECOMMENDATION BY PRESIDING OFFICER.

In accordance with Joint Rule No. 35, I hereby recommend that the Senate grant permission to vote on Senate Bill No. 897, entitled "An act to add a new section to be numbered 1936 to part III, title IV, chapter II, article I of the Political Code, relating to the powers of the Adjutant General."

BURON FITTS,  
President of the Senate.

The question being: Shall the Senate grant permission to vote on Senate Bill No. 897?

The roll was called, and permission granted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, West, and Young—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 897 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Jones, H. C., Jones, Ray, Maloney, McKinley, Mueller, Murphy, Pedrotti, Rush, Sharkey, Slater, Waggy, Weller, West, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY ALBERT BRADY AT THE DESK.

RE-REFERENCE OF ASSEMBLY BILL.

Assembly Bill No. 1267 was ordered re-referred to Committee on Revision of Criminal Law and Procedure.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 827.—An act to amend section 594 of the Political Code, relating to the classification of insurance, and the reserves required in certain classes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 827 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; McKinley, Sharkey, Slater, Swing, Wagy, and Weller—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION No. 36.

Relative to expenses of legislative committee appointed pursuant to Assembly Concurrent Resolution No. 16, chapter XXX of resolutions, Statutes of 1927.

*Resolved by the Assembly, the Senate concurring.* That the sum of \$289.68 be, and the same is hereby made available for the purpose of defraying the expenses of and the cost of the investigation by the committee appointed pursuant to Assembly Concurrent Resolution No. 16, chapter XXX of resolutions, Statutes of 1927; said sum to be paid equally from the contingent funds of the Assembly and Senate, the same being for the purpose of meeting a deficiency in the funds heretofore made available for the purpose of defraying said cost and expenses, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 36 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Hurley, Ingram, Johnson, Jones, Ray; Lyon, Maloney, McKinley, Rush, Sharkey, Slater, Swing, Wagy, Weller, and West—29.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 36 ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION No. 16.

Relative to the cooperation between the United States and the State of California concerning conservation and development of water projects.

WHEREAS, In the past several years the State of California by and through its Board of Public Works, Department of Engineering and Irrigation, and the United States by and through its Department of Interior, Bureau of Reclamation, have cooperated in investigating irrigation and reclamation projects, and the salt water barrier project, and preliminary reports have been made available on the physical features and financial feasibility of the above mentioned projects will shortly be available; and



WHEREAS, The Secretary of the Interior and the Commissioner of Reclamation, in studying the water problems in the State of California, have expressed a willingness and desire that cooperation between the United States and the State of California should continue in connection with these projects and with all projects which have for their object the conservation and application of the waters of the State; now, therefore, be it

Resolved, That the Legislature of the State of California hereby expresses its desire to the national government that cooperation between the United States and the State of California shall continue with reference to the projects herein mentioned and especially the salt water barrier project herein mentioned and to all other projects in the State which have a like purpose and effect, to the end that a comprehensive and coordinated plan may be developed for conservation and application of all waters in the State of California to beneficial uses for the public purposes and advantages of both nation and State.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Sharkey, Slater, Swing, Wagy, Weller, and Young—26.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 16 ordered transmitted to the Assembly.

Assembly Bill No. 1130—An act to amend section 51 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to disposition of moneys; abolishing the accident prevention fund and disposing of balance in said funds; and making an appropriation for support of Industrial Accident Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1130 passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hurley, Ingram, Jones, H. C., Jones, Ray; Maloney, McKinley, Slater, Swing, Wagy, Weller, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1067—An act to amend sections 1, 2, 3, 4, 8 and 10 of an act entitled "An act to reserve all minerals in State lands: to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 26, 1921, as

amended, relating to leases, repealing acts or parts of acts in conflict herewith and making this act an urgency measure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1067 refused passage by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Cobb, Fellom, Garrison, Hollister, Jones, H. C., Sharkey, Slater, Swing, Wagy, and Young—13.

NOES—Senators Allen, N. M., Breed, Canepa, Chamberlin, Christian, Crowley, Evans, Handy, Hurley, Ingram, Jones, Ray, Maloney, McKinley, Weller, and West—15.

Bill ordered transmitted to the Assembly.

#### MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 409. An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OLINIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 409. An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED NINE.

##### AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the following "of a felony", and strike out lines 4, 5, 6 and the words "prison for life; *provided, however,* that", in line 7, and insert in lieu thereof the following "Upon charges separately brought and tried, either in this state or elsewhere, for the crime of robbery, burglary, burglary with explosives, rape with force or violence, arson, murder, assault with intent to commit murder, grand theft, bribery of a public official, perjury, subornation of perjury, train wrecking, feloniously receiving stolen goods, felonious assault with a deadly weapon, or any of them, shall be adjudged an habitual criminal and shall be punished by imprisonment in the state prison for life and shall not be eligible for release on parole until he shall have served a minimum of at least twelve years. Every person convicted in this state of any felony who shall have been previously three times convicted, either in this state or elsewhere, of any felony, shall be punished by imprisonment in the state prison for not less than life and shall not be eligible to parole."

##### AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the word "nothing", and insert in lieu thereof the word "Nothing".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 409?

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Baker moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Evans, Garrison, Handy, Ingram, Jones, H. C., Jones, Ray; Maloney, McKinley, Sharkey, Slater, Wagy, Weller, and Young—20.

The Secretary announced the absentees.

Time, ten o'clock and fifty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and fifty-two minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Baker.

The Secretary was directed to call the roll of the Senators who had not answered to their names.

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 409 by the following vote:

AYES—None.

NOES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Evans, Garrison, Handy, Hurley, Ingram, Jones, H. C., Jones, Ray; Maloney, McKinley, Sharkey, Slater, Wagy, Weller, West, and Young—23.

#### COMMITTEE ON CONFERENCE APPOINTED.

The President announced the appointment of Senators Weller, Breed and McKinley as a Committee on Conference, to meet with a like committee from the Assembly for the consideration of Senate Bill No. 409.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 7—An act to add a new section to the Political Code to be numbered 737*g*, relating to the salary of the judge of the superior court of the county of El Dorado;

Also: Assembly Bill No. 49—An act to add a new section to the Political Code, to be numbered 737*f*, relating to the salaries of superior judges of Colusa County;

Also: Assembly Bill No. 62—An act to add a new section to the Political Code, to be numbered 737*gq*, relating to salary of judge of the superior court in and for the county of Sutter;

Also: Assembly Bill No. 63—An act to add a new section to the Political Code, to be numbered 737*s*, relating to salary of judge of the superior court in and for the county of Yolo;

Also: Assembly Bill No. 64—An act to add a new section to the Political Code, to be numbered 737*r*, relating to salary of judge of the superior court in and for the county of Yuba;

Also: Assembly Bill No. 66—An act to amend section 204*c* of the Code of Civil Procedure, relating to duties of jury commissioner;

Also: Assembly Bill No. 73—An act to add a new section to the Political Code, to be numbered 737*f*, relating to the annual salary of the superior court judge of Madera County;

Also: Assembly Bill No. 75—An act to amend section 737*v* of the Political Code, relating to salaries of superior court judges in the counties of Alameda, Los Angeles and San Francisco;

Also: Assembly Bill No. 76—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices;

Also: Assembly Bill No. 84—An act to add a new section to the Political Code, to be numbered 738*ab*, relating to the salary of the superior court judge of the county of Marin;

Also: Assembly Bill No. 105—An act to add a new section to the Political Code, to be numbered 738*c*, relating to the annual salary of the superior court judge of the county of Tuolumne;



Also: Assembly Bill No. 109—An act to add a new section to the Political Code, to be numbered 737i, relating to the salary of the judge of the superior court in and for the county of Shasta;

Also: Assembly Bill No. 153—An act to add a new section to the Political Code, to be numbered 737rr, relating to the salaries of the superior court judges in Riverside County;

Also: Assembly Bill No. 160—An act to amend section 737k of the Political Code, relating to the annual salary of the superior court judge of the State of California in and for the county of Santa Barbara;

Also: Assembly Bill No. 188—An act to add a new section to be numbered 737ll to the Political Code, relating to the salary of the judge of the superior court of Nevada County;

Also: Assembly Bill No. 195—An act to amend an act entitled "An act to enable counties to join with incorporated cities and towns within such counties in the joint construction of public buildings to be used jointly for county and municipal purposes" approved May 29, 1913, by adding thereto, two new sections to be numbered 3 and 4, relating to the manner of entering into such joint construction agreements and authorizing the incurring of an indebtedness for the purpose of constructing any such building;

Also: Assembly Bill No. 256—An act to add a new section to the Political Code, to be numbered 737abc, relating to the salary of the superior court judge of the county of Del Norte;

Also: Assembly Bill No. 290—An act to amend section 737ccc of the Political Code, relating to the salaries of judges of the superior courts of the State of California in and for the counties of San Joaquin, San Bernardino, Orange and Sacramento;

Also: Assembly Bill No. 296—An act to add a new section to the Political Code, to be numbered 737r, relating to the salaries of the superior judges of the county of Kern;

Also: Assembly Bill No. 395—An act to amend section 190 of the Penal Code, relating to murder in the second degree;

Also: Assembly Bill No. 427—An act to add a new section to the Political Code, to be numbered 737u, relating to the salary of the judge of the superior court of the county of Amador;

Also: Assembly Bill No. 428—An act to add a new section to the Political Code to be numbered 737z, relating to the salary of the judge of the superior court of the county of Calaveras;

Also: Assembly Bill No. 461—An act providing for the organization and government of public service districts for the purpose of establishing and maintaining and providing for the sanitation of public labor camps;

Also: Assembly Bill No. 560—An act to amend section 4269 of the Political Code, relating to the salaries, fees and expenses of county officers of counties of the fortieth class;

Also: Assembly Bill No. 586—An act to amend section 737o of the Political Code, relating to the salaries of the superior judges in Inyo, Mariposa and Mono counties;

Also: Assembly Bill No. 655—An act to amend section 738a of the Political Code, relating to the salaries of judges of the superior courts in and for the counties of Lassen and Plumas;

Also: Assembly Bill No. 657—An act to add a new section to the Political Code, to be numbered 737aaa, relating to the salary of the judge of the superior court in and for the county of Modoc;

Also: Assembly Bill No. 677—An act providing for the creation and management of the Tamalpais State Park, making an appropriation therefor and creating the Tamalpais State Park Commission, with power to acquire land and other property for the creation, maintenance and improvement of said park, and for additions thereto, and to maintain and manage the same, and to appoint a guardian thereof;

Also: Assembly Bill No. 729—An act to amend section 737g of the Political Code, relating to the salaries of the judges of the superior court of the county of Santa Cruz;

Also: Assembly Bill No. 739—An act to add a new section to the Political Code, to be numbered 737aaa, relating to the salary of superior judge in Contra Costa County;

Also: Assembly Bill No. 758—An act to amend section 737p of the Political Code, relating to the salary of the judges of the superior court in and for the county of Stanislaus;

Also: Assembly Bill No. 775—An act to amend sections 30 and 77 of the "California Vehicle Act," approved May 30, 1923 as amended, relating to the Chief of the Division of Motor Vehicles and Registration Fees;

Also: Assembly Bill No. 778—An act to add a new section to the Political Code to be numbered 737b, relating to the salary of the judge of the superior court of the county of San Benito;



Also, Assembly Bill No. 826—An act to add a new section to an act known as the "General Dairy Law of California," approved June 15, 1923, as amended, to be numbered section 165, relating to the licensing of dairy produce exchanges trading in butter, cheese or eggs;

Also: Assembly Bill No. 869—An act to amend an act entitled "An act providing for farm and home aid for veterans, defining powers and duties of Veterans' Welfare Board in respect thereto and making an appropriation therefor," approved May 30, 1921, as amended, relating to farm and home aid of widows of deceased veterans;

Also: Assembly Bill No. 881—An act to amend section 737c of the Political Code, relating to the salary of the judges of the superior court in the county of San Mateo;

Also: Assembly Bill No. 907—An act providing for an investigation of old age pension systems, and making an appropriation therefor;

Also: Assembly Bill No. 920—An act to amend section 514, 515 and 516 of the Political Code, relating to the Superintendent of Public Instruction;

Also: Assembly Bill No. 948—An act to amend section 737m of the Political Code, relating to the salaries of superior judges in Solano and Napa counties;

Also: Assembly Bill No. 1060—An act to amend section 737j of the Political Code, relating to salaries of judges of the superior courts of the county of San Luis Obispo;

Also: Assembly Bill No. 1075—An act to amend section 4242 of the Political Code, relating to the salaries, fees, and expenses of officers in counties of the thirteenth class;

Also: Assembly Bill No. 1100—An act to amend section 737ab of the Political Code, relating to salary of the judge of the superior court in and for Merced County;

Also: Assembly Bill No. 1206—An act to amend section 737d of the Political Code, which section was added to said code by chapter DCCCXXVII of the Statutes of 1921, and to add a new section to said code, to be numbered 737f, relating to salaries of judges of the superior court;

Also: Assembly Bill No. 1291—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, with respect to the support of wards of the juvenile court, and the reimbursement of the county for expenditures made, and duration of orders for support.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT. I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 32.—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923—and appointed Assemblymen Lenehan, Spalding and Little as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Christian, Allen, J. M., and Ingram as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Senate Bill No. 32.

#### REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923—

reports that it has met a like committee of the Assembly, consisting of Assemblymen Lenchau, Spalding and Little, and reports that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

CHRISTIAN,  
ALLEN, J. M.,  
INGRAM,

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject referred to a Committee on Free Conference to be appointed by the President.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923—recommending the appointment of a Committee on Free Conference, and the following Assemblymen were appointed: Nielsen, Hawes and Duval, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Hurley, West and Murphy as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Senate amendments to Senate Bill No. 32.

The Secretary was directed to notify the Assembly of the Senate appointment of Committee on Free Conference.

#### THIRD READING OF ASSEMBLY BILLS—(RESUMED).

##### ASSEMBLY CONCURRENT RESOLUTION No. 30.

Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith.

WHEREAS, It is necessary that the Legislature of the State of California have available adequate information so as to enable its members to consider proper legislation looking to the adoption of a statewide plan for the conservation and use of the waters of the State; now, therefore, be it

*Resolved by the Assembly, the Senate concurring.* That a committee of eight members, consisting of four members of the Assembly to be appointed by the Speaker of the Assembly, and four members of the Senate to be appointed by the President of the Senate, be appointed to make an investigation of the water problems of the State and to recommend to the Legislature of the State of California at the forty-eighth session thereof some statewide policy for the conservation and use of the waters of the State; and be it further

*Resolved.* That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary, and shall proceed with said investigation in such manner as may be determined by said committee; and be it further

*Resolved.* That each department, board, commission or officer of the State of California, whenever requested to do so by said committee, shall furnish to said committee such assistance as it may require; and be it further

*Resolved.* That said committee is hereby authorized to hold public hearings at any place in the State of California at which hearings the people shall have opportunity to present their views to the committee; and be it further

*Resolved.* That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpoenas and to compel the attendance of witnesses, and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of article VIII of chapter 11, title 1, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The said committee is hereby given leave to sit during the sessions of the Legislature, during the recess thereof and during the interval between sessions thereof, at any place in the State as said committee shall from time to time determine.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 30 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Maloney, McKinley, Nelson, Rush, Sharkey, Slater, Swing, Wagy, Weller, and Young—26.

NOES—Senators Christian, Jones, Ray; and West—3.

Title read and approved.

Assembly Concurrent Resolution No. 30 ordered transmitted to the Assembly.

Assembly Bill No. 120—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Fellom moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Rush, Sharkey, Slater, Wagy, Weller, West, and Young—25.

The Secretary announced the absentees.

Time, eleven o'clock a.m.

The President directed the Sergeant-at-Arms to close the door.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

#### ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 573—An act to amend sections 224, 226, and 227 of, and to add a new section to be numbered 224m to the Civil Code, relating to adoption—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 573—An act to amend sections 224, 226 and 227 of, and to add a new section to be numbered 224m, to the Civil Code, relating to adoption.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SEVENTY-THREE.

#### AMENDMENT NUMBER ONE.

In line 3 of the title of the amended printed bill, after the word "add", strike out the word "two", and insert in lieu thereof the word "a", and strike out the word "sections", and insert in lieu thereof the word "section".



AMENDMENT NUMBER TWO.

In line 4 of the title of the amended printed bill, strike out the following: ", and two hundred twenty-six m."

AMENDMENT NUMBER THREE.

On page 2, line 10, of the amended printed bill, after the word "when", strike out the word "deciding", and insert the word "reciting".

AMENDMENT NUMBER FOUR.

On page 2 of the amended printed bill, strike out all of lines 24 to 52, inclusive, and insert in lieu thereof the following: "immediately notify the state department of public welfare at Sacramento in writing of the pendency of the action. In all cases in which consent is required, unless a society licensed by the state department of public welfare to find homes for children and place children in homes for adoption join in the petition for adoption, a copy of the consent for adoption on a form to be prescribed by the state department of public welfare must be signed in the presence of and filed with the clerk of a superior court. The clerk shall immediately file a certified copy of such consent to adoption with the state department of public welfare.

In all cases of adoption in which no agency licensed to place children for adoption is a party it shall be the duty of the department of public welfare to verify the allegations of the petition and to ascertain whether the child is a proper subject for adoption and to determine whether the proposed foster home is a suitable home for the child and shall submit to the court a full report of the facts disclosed by its inquiry with a recommendation regarding the granting of the petition.

No hearing shall be held or action taken within ninety days after filing of the petition unless the department of public welfare shall have submitted a report."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 573?

The roll was called, and Assembly amendments to Senate Bill No. 573 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray, Maloney, McKinley, Rush, Sharkey, Slater, Wagy, West, and Young—25.

NOES—None.

Senate Bill No. 573 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 597—an act to add a new section to the Penal Code, to be numbered 737*c*, relating to the salary of superior judge in Contra Costa County—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By E. C. LYNCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 597—An act to add a new section to the Penal Code, to be numbered 737*c*, relating to the salary of superior judge in Contra Costa County.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "are", strike out the word "seven", and insert in lieu thereof the word "six".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the title of the printed bill, as amended in the Assembly on April 26, 1927, strike out the word "Penal", and insert in lieu thereof the word "Political".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, as amended in the Assembly on April 26, 1927, strike out the word "Penal", and insert in lieu thereof the word "Political".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 597?



The roll was called, and Assembly amendments to Senate Bill No. 597 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Maloney, McKinley, Rush, Sharkey, Slater, Waggy, West, and Young—25.

NOES—None.

Senate Bill No. 597 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By THOMAS ROBINSON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED TWENTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, as amended in the Senate on April 5, 1927, strike out the word "ports", and insert in lieu thereof the word "port".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 823?

The roll was called, and Assembly amendment to Senate Bill No. 823 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray; Maloney, McKinley, Rush, Sharkey, Slater, Waggy, West, and Young—25.

NOES—None.

Senate Bill No. 823 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 856—An act transferring the operation and control of certain of the flood control works of the Sacramento and San Joaquin Drainage District to the Department of Public Works, and providing that the cost thereof shall be paid by the State for a limited period and relieving said district and the reclamation board and its members from responsibility and liability for operation or maintenance of flood control works during said period; providing for the cancellation of bonds of said district authorized but not sold; authorizing the Reclamation Board to levy a supplementary assessment and to order called assessments levied in connection with Project No. 6; authorizing the issuance of bonds of said district based on and secured by assessments upon the land within the boundaries of Project No. 6 of said district; authorizing the validation of said bonds; authorizing the State Board of Control to purchase and invest in warrants and bonds of said district; authorizing land owners within said Project No. 6 to pay assessments in warrants or bonds of said district; adding to, taking away from and altering an act known as the Reclamation Board Act, approved December 24, 1911, as amended, and repealing all other acts or parts of acts in so far as they are in conflict herewith—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 856—An act transferring the operation and control of certain of the flood control works of the Sacramento and San Joaquin Drainage District to the Department of Public Works, and providing that the cost thereof shall be paid by the State and relieving said district and the Reclamation Board and its members from responsibility and liability for operation or maintenance of flood control works; providing for the cancellation of bonds of said district authorized but not sold; authorizing the Reclamation Board to levy a supplementary assessment and to order called assessments levied in connection with Project No. 6; authorizing the issuance of bonds of said district based on and secured by assessments upon the land within the boundaries of Project No. 6 of said district; authorizing the validation of said bonds; authorizing the State Board of Control to purchase and invest in warrants and bonds of said district; authorizing land owners within said Project No. 6 to pay assessments in warrants or bonds of said district; adding to, taking away from and altering an act known as the Reclamation Board Act, approved December 24, 1911, as amended, and repealing all other acts or parts of acts in so far as they are in conflict herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FIFTY-SIX.

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed bill, as amended April 18, 1927, on page 1 of said bill after the word "state", insert the following: "for a limited period".

AMENDMENT NUMBER TWO.

In line 11 of the title of the printed bill, as amended April 18, 1927, on page 1 of said bill after the word "works", insert the following: "during said period".

AMENDMENT NUMBER THREE.

On page 4, lines 24 and 25, of the printed bill, as amended April 18, 1927, strike out the words "Sacramento river drainage area," and insert in lieu thereof the following: "Sacramento and San Joaquin drainage district."

AMENDMENT NUMBER FOUR.

On page 9 of the printed bill, as amended April 18, 1927, strike out the comma in line 39, and in lines 39, 40 and 41 strike out the following: "in so far as they may, a large number of the citizens of the state from financial disaster due to", and insert in lieu thereof the word "the".

AMENDMENT NUMBER FIVE.

On page 7, line 41, of the printed bill, between the words "to" and "three", insert the words "not less than".

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, strike out all of lines 46 and 47, and insert in lieu thereof the following: "to rescind and cancel its then existing order and to order that".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 856?

The roll was called, and Assembly amendments to Senate Bill No. 856 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Christian, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Jones, H. C., Jones, Ray, Maloney, McKinley, Rush, Sharkey, Slater, Wagy, West, and Young—25.

NOES—None.

Senate Bill No. 856 ordered to enrollment.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and five minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Fellom.

The Secretary was directed to call the roll on passage of bill of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 120 finally passed by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By EDWIN C. LYNCH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 846—An act to add four new sections to the Political Code, to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FORTY-SIX.

##### AMENDMENT NUMBER ONE.

On page 2, lines 11 and 12, of the printed bill, strike out the words "an order, entered in its minutes", and insert in lieu thereof the word "ordinance".

##### AMENDMENT NUMBER TWO.

On page 2, line 15, of the printed bill, strike out the words "order of extension", and insert in lieu thereof the word "ordinance".

##### AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, as amended April 20, 1927, strike out the word "fifty", and insert in lieu thereof the word "thirty-five".

##### AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, as amended April 20, 1927, strike out the word "fifty", and insert in lieu thereof the word "thirty-five".

##### AMENDMENT NUMBER FIVE.

On page 1, line 10, of the printed bill, as amended April 20, 1927, strike out the word "fifty", and insert in lieu thereof the word "thirty-five".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 846?

The roll was called, and Assembly amendments to Senate Bill No. 846 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Canepa, Chamberlin, Christian, Cobb, Gray, Handy, Hollister, Hurley, Ingram, Jones, Ray, Kline, Lyon, McKinley, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, and West—24.

NOES—Senators Breed, Crowley, Fellom, Garrison, Inman, Johnson, Jones, H. C., Maloney, Mueller, Murphy, Nelson, and Young—12.

Senate Bill No. 846 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 894—An act appropriating money for painting the interior, recarpeting, renovating, reupholstering and refinishing and replacing chairs and desks and replacing drapes and correcting the lighting in the Senate and Assembly chambers and offices connected therewith—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 894—An act appropriating money for painting the interior, recarpeting, renovating, reupholstering and refinishing and replacing chairs and desks and replacing drapes and correcting the lighting in the Senate and Assembly chambers and offices connected therewith.

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "sixteen", and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "lighting", insert the following: "and installing ventilating systems".

The question being : Shall the Senate concur in Assembly amendments to Senate Bill No. 894?

The roll was called, and Assembly amendments to Senate Bill No. 894 concurred in by the following vote :

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Feltom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Senate Bill No. 894 ordered to enrollment.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SEVENTEEN.

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 16, 17, 18, 19 and 20, inclusive, and insert in lieu thereof the following :

SEC. 4. The salary of the chairman and the salary of the secretary of said commission shall be fixed by the commission with the approval of the department of finance.

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, as amended, strike out the words "seventy-five", and insert in lieu thereof the word "twenty".

The question being : Shall the Senate concur in Assembly amendments to Senate Bill No. 417?



The roll was called, and Assembly amendments to Senate Bill No. 417 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, S. M., Baker, Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Felloni, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, Mueller, Murphy, Nelson, Rush, Slater, Tubbs, Wagy, Weller, West, and Young—32.

NOES—None.

Senate Bill No. 417 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of the interests of the State for purposes of flood control, river flow control and equation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED SEVENTY-ONE.

##### AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "empowered", insert the following: "in its discretion".

##### AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, after the word "acquire", insert the following: "within two years from the date when this act shall become effective".

##### AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out the period after the word "uses", and insert a semicolon and the following: "*provided, however,* in case any such acquisition is made by condemnation any proceeding to condemn may be commenced within two years from the date when this act shall become effective."

##### AMENDMENT NUMBER FOUR.

On page 1, line 13, of the printed bill, after the word "California", insert the following: "in its discretion, within two years from the date when this act shall become effective,".

##### AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, strike out the comma after the word "condemn", and insert in lieu thereof the following: "or commence proceedings in a court of competent jurisdiction to condemn,".

##### AMENDMENT NUMBER SIX.

On page 2, line 7, of the printed bill, strike out the period, and insert in lieu thereof the following: "*provided,* that any portion of said amount not so expended

within two years from the date this act becomes effective except so much thereof as may be necessary to prosecute proceedings in condemnation theretofore commenced, shall be returned into the general fund of the state."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 871.

The roll was called.

#### CALL OF THE SENATE.

Pending the announcement of the vote, Senator Inman moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, N. M., Canepa, Chamberlin, Christian, Crowley, Fellom, Garrison, Gray, Handy, Harlex, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—27.

The Secretary announced the absentees.

Time, eleven o'clock and eight minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

#### PROCEEDINGS UNDER CALL OF THE SENATE.

#### MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County.

#### ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED NINETEEN.

##### AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, strike out lines 14 to 22, and insert in lieu thereof the following:

SEC. 3. There is hereby created a Mount Diablo state park fund. Whenever there shall be deposited in the said Mount Diablo state park fund any sum of money other than the appropriation made hereunder the controller shall transfer from the general fund to the said Mount Diablo state park fund an amount equal to one-half of said amount so deposited in said Mount Diablo state park fund. The state treasurer is hereby authorized to receive contributions in any amount and from any source whatsoever and credit the same to said Mount Diablo state park fund. All expenditures from said Mount Diablo state park fund shall be made solely for the acquisition of land contiguous to said park as hereinabove provided. Such expenditures from said fund shall be made upon the written order of the said commission and audited by the state board of control or other proper authorities who must allow the same and direct payment thereof to be made and the controller shall draw warrants therefor on the state treasury for the payment of the same to the said Mount Diablo state park commission out of the said Mount Diablo state park fund.

## AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended, strike out lines 1 to 27, both inclusive, and insert in lieu thereof the following:

Sec. 4. In the event of the creation by law, of a department of natural resources, said department shall succeed to and is hereby invested with all the powers, purposes, responsibilities and jurisdiction of the Mount Diablo state park commission and of the several officers, deputies and employees of said commission, and whenever by the provisions of any statute or law now in force or that may hereafter be enacted a duty or jurisdiction is imposed or authority conferred upon said commission or the officers, deputies or employees thereof by any statute the enforcement of which is transferred to the department, such duty, jurisdiction and authority are hereby imposed upon and transferred to the department of natural resources and the appropriate officers thereof with the same force and effect as though the title of said department of natural resources had been specifically set forth and named therein in lieu of the name of said commission, or any officer, deputy or employee thereof. Said commission and officers, the duties, powers, purposes, responsibilities and jurisdiction of which are so transferred and vested in the department of natural resources, and the positions of all officers, deputies and employees thereunder, shall upon such transference be thereafter abolished and shall have no further legal existence, but the statutes and laws under which they may have existed and all laws prescribing their duties, powers, purposes, responsibilities and jurisdiction, together with all lawful rules and regulations established thereunder are hereby expressly continued in force.

The question being, Shall the Senate concur in Assembly amendments to Senate Bill No. 819?

The roll was called, and Assembly amendments to Senate Bill No. 819 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fallon, Garrison, Hardy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Madorey, McKimley, Rush, Sharkey, Slater, Swing, Waggy, Weller, and Young—25.  
 NAYS—None.

Senate Bill No. 819 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended, Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District"; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements, and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By C. W. BOOTH, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District"; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing



for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED EIGHTY-THREE.

AMENDMENT NUMBER ONE.

On page 3, line 6, of the printed bill, as amended April 26, 1927, strike out the following: "thence south", and strike out lines 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and the following in line 18: "branch of the Southern Pacific railroad", and insert in lieu thereof the following: "thence south one mile to the southeast corner of section sixty-five of said rancho; thence east one-half of a mile; thence south three-quarters of a mile; thence east one-quarter mile; thence north one-quarter mile to the center line of a road running east and west through the center of section sixty-three of said rancho; thence east one-quarter mile along the center line of said road, to the east line of said section sixty-three; thence continuing along the center line of said road, in a northeasterly direction to the southeast corner of section sixty-one of said rancho; thence along a straight line in a northeasterly direction to the quarter section corner on the east side of section fifty-eight of said rancho; thence east one-half mile; thence south to the north bank of the American river; thence down and along the north or right bank of the American river to its intersection with the northerly production of the line between sections five and six, township eight north, range six east; thence south along the section line between sections five and six, and between seven and eight of said townships and range to the center line of the Placer-ville branch of the Southern Pacific railroad,".

AMENDMENT NUMBER TWO.

On page 7, line 24, of the printed bill, as amended April 26, 1927, after the period following the word "situated", insert the following: "If any lands be included in a zone which shows no benefits and a zero percentage to be raised from such lands for the payment of principal and interest on bonds, it shall be the duty of the board of trustees to exclude such lands from the boundaries of the district in the manner hereinafter provided before the calling of a special election to submit to the qualified electors of said district the proposition of issuing bonds as provided in section 10 hereof.

The said trustees shall prepare a notice of intention to exclude such lands from the boundaries of the district and set a date for the hearing of all interested parties as to whether said lands should be excluded or not. The said notice, which shall contain a statement of the time and place of said hearing, shall be published in a newspaper of general circulation printed and published in said district, over a period of two weeks at least once each week.

After the said hearing, the board of trustees, if it believes that such lands will not be benefited by remaining in the district, shall by resolution passed by unanimous vote declare said lands excluded from the district. The exclusion of such lands shall not affect the organization of the district nor invalidate any of the proceedings which may have theretofore been or thereafter be taken by the said board or any other body pursuant to the provisions hereof.

The said resolution shall be subject to judicial review as to the facts contained therein and as to the regularity of the proceedings pursuant to which it was passed, by any court of competent jurisdiction."

AMENDMENT NUMBER THREE.

On page 5, line 36, of the printed bill, as amended, strike out the word "July", and insert in lieu thereof the word "January".



## AMENDMENT NUMBER FOUR.

On page 4, line 4, of the printed bill, after the word "thereof", strike out the semicolon and the remainder of line 4, and strike out all of lines 5 to 12, and insert in lieu thereof a period.

## AMENDMENT NUMBER FIVE.

On page 12, line 24, of the printed bill, after "County", insert the following:

There is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of twenty five thousand dollars for the purpose of carrying out the provisions of this section.

## AMENDMENT NUMBER SIX.

On page 2, line 38, after the word "Rancho", strike out all in the printed bill down to "thence", in line 6, page 3, and insert the following in lieu thereof: "thence south approximately two and one-quarter miles along the section lines common to sections 62, 65, 63, 64, and its production southerly to the center line of the channel of the American river; thence following the said center line of the channel of the American river with its meanderings in an easterly direction to a point on said center line of said channel where the same would be intersected by the range line common to township eight north, range five east, and township eight north, range six east if the same were produced northerly; thence following said northerly produced range line in a southerly direction to the center line of the Placerville branch of the Southern Pacific railroad; thence".

## AMENDMENT NUMBER SEVEN.

Strike out the following at the end of the title: "And declaring this act to be an emergency measure".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 883?

The roll was called, and Assembly amendments to Senate Bill No. 883 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Cobb, Crowley, Evans, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Maloney, McKinley, Rush, Sharkey, Slater, Swing, Wagy, Weller, and Young—25.  
 NOES—None.

Senate Bill No. 883 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the district courts of appeal;

Also: Senate Bill No. 839—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts;

Also: Senate Bill No. 885—An act providing for the investigation by the California Highway Commission of the operation of toll bridges in California and any matters connected therewith, and for the submission of a report thereon to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of any existing bridge or bridges by the State with a plan for financing acquisition of same and the amortization of the costs by tolls, or the construction of toll bridges and any other pertinent matters relating to the same problem.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By EDWIN C. LYNCH, Assistant Clerk.

Senate Bills Nos. 204, 839 and 885 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 723—An act to amend section 626 of the Penal Code, relating to fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.  
 By EDWIN C. LYNCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1287. An act to amend section 737a of the Political Code, relating to the salary of the judge of the superior court in and for the county of Alpine.

Also: Assembly Bill No. 1239. An act to amend section 737c of the Political Code, relating to the salary of the superior judge of Ventura County.

Also: Assembly Bill No. 1152. An act to amend section 737a of the Political Code, relating to the salary of the superior court judge of the county of Butte.

Also: Assembly Bill No. 1256. An act to amend sections 2440 and 2460 of the Political Code, relating to the appointment, powers, duties, compensation and expenses of the board of pilot commissioners for the ports of San Francisco, Mare Island and Benicia and of the officers and employees of said board, creating a special fund in the State Treasury for the receipt of moneys collected by said board and providing for the disbursement of the moneys in said fund.

ARTHUR A. OHNIMUS, Chief Clerk.

By THOMAS ROBINSON, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 217. An act appropriating \$200,000 to be expended by and under the direction of the Department of Public Works for the purpose of operating and maintaining such of the flood control works of the Sacramento and San Joaquin Drainage District as may by law be imposed upon the State.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 217 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years.

Also: Senate Bill No. 781. An act authorizing the Board of Control to reconvey certain real property to L. B. Collins.

Also: Senate Bill No. 859. An act to amend section 2533 of the Political Code, relating to the San Francisco Harbor improvement fund.

Also: Senate Bill No. 873. An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject; and repealing acts inconsistent herewith.

Also: Senate Bill No. 891. An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended.

Also: Senate Bill No. 892. An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant.

Also: Senate Bill No. 895. An act to add a new section to the Political Code to be numbered section 4276b, relating to the compensation and expenses of the county surveyor in counties of the forty-seventh class.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 764, 781, 859, 873, 891, 892 and 895 ordered to enrollment.

PRESIDENT PRO TEMPORE IN THE CHAIR.

At eleven o'clock and ten minutes a.m., Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Constitutional Amendment No. 27 ordered to enrollment.

#### REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923—reports that it has met a like committee of the Assembly, consisting of Assemblymen Hawes, Nielsen and Duval, and reports that the Committee on Free Conference has agreed to recommend the following:

#### AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in the Assembly April 27, 1927, strike out line 26, and insert in lieu thereof the following: "industrial accident commission, the sum of fifteen dollars".

#### AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, as amended in the Assembly April 27, 1927, strike out the period following the word "suffered", and add the following: "nor in the event that such disabled officer shall be otherwise engaged in a gainful occupation."

HURLEY.  
WEST.  
MURPHY.

Senate Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report and amendments adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Gray, Handy, Hollister, Hurley, Ingram, Johnson, Jones, H. C., Jones, Ray, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Waggy, Weller, West, and Young—30.

NOES—None.

Senate Bill No. 32 and the report of Committee on Free Conference ordered transmitted to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act, approved May 30, 1923.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 32 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill

No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals—and appointed Assemblymen Reindollar, Clowdsley and Jewett as a Committee on Conference, to meet with a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Weller, Breed and McKinley as a Committee on Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 409.

#### REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals—reports that it has met a like committee of the Assembly, consisting of Assemblymen Reindollar, Jewett and Clowdsley, and reports that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

WELLER,  
BREED,  
McKINLEY.

Senate Committee on Conference.

Report of Committee on Conference accepted, committee discharged, and on motion the entire subject matter referred to a Committee on Free Conference to be appointed by the President.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals—recommending the appointment of a Committee on Free Conference, and appointed Assemblymen Little, Feigenbaum and Wherrell to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Lyon, Christian and Handy as a Committee on Free Conference, to meet with a like committee from the Assembly to consider Assembly amendments to Senate Bill No. 409.

The Secretary was directed to notify the Assembly of the Senate appointment of Committee on Free Conference.

#### REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to punishment of habitual criminals—reports that it has met a like committee of the Assembly, consisting of Assemblymen Little, Wherrell and Feigenbaum, and that the Committee on Free Conference agrees upon and recommends that the Senate concur in the amendments made by the Assembly, and that the bill be further amended as follows:

#### AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, as amended April 27, 1927, after the comma following the word "felony", insert the following: "who shall have been previously twice convicted".



## AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, as amended April 27, 1927, strike out the word "for", and insert in lieu thereof the word "of".

LYON,  
CHRISTIAN,  
HANDY,

Senate Committee on Free Conference.

WHERRELL,  
LITTLE,  
FEIGENBAUM,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendments.

The roll was called, and the report of Committee on Free Conference and amendments adopted by the following vote:

AYES—Senators Allen, J. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Johnson, Jones, H. C., Jones, Ray; Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—30.

NOES—None.

Senate Bill No. 409 and report ordered transmitted to the Assembly.  
Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 409 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 890—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917 as amended, by adding two new sections to be known as sections 36½ and 55½, relating to authorization to the State compensation insurance fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 890—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917 as amended, by adding two new sections to be known as sections 36½ and 55½, relating to authorization to the State Compensation Insurance Fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED NINETY.

## AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the words "or damages".

## AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the words "the laws of the United States and".

## AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out the words "of this state".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed bill, after the word "insure", insert the word "California".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 890?

The roll was called, and Assembly amendments to Senate Bill No. 890 concurred in by the following vote:

AYES. Senators Allen, J. M., Allen, N. M., Boggs, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Fellom, Garrison, Gray, Handy, Hollister, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, West, and Young—28.

NOES. None.

Senate Bill No. 890 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 234—An act to amend an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualify applicants, with the designation of certified public accountants; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, by amending sections 2 and 3; by repealing sections 3a, 4 and 5; and by adding thereto new sections to be numbered 4, 5, 6, 7, 8, 9, 10, 11 and 12, relating to issuance of certificates, suspension of certificates and violations thereof.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHARLES H. ERB, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED SIXTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "thirty-three", and insert in lieu thereof the words "thirty-eight".

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, strike out the word "eighteen", and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten".

AMENDMENT NUMBER FIVE.

On page 1, line 27, strike out the word "by-law", and insert in lieu thereof the words "by law".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 269?

The roll was called, and Assembly amendments to Senate Bill No. 269 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Breed, Canepa, Chamberlin, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; McKinley, Mueller, Murphy, Nelson, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—29.

NOES—None.

Senate Bill No. 269 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents—and respectfully requests your honorable body to concur in said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.  
By CHAS. H. EBB, Assistant Clerk.

#### CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED THIRTY-NINE.

#### AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, after the word "seventeen", strike out the period, and insert in lieu thereof a comma and the following words: "shall be an agent within the meaning of this act."

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 539?

The roll was called, and Assembly amendment to Senate Bill No. 539 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Boggs, Canepa, Christian, Cobb, Fellom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray; Maloney, McKinley, Murphy, Nelson, Slater, Tubbs, Wagy, West, and Young—25.

NOES—None.

Senate Bill No. 539 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendment to Assembly Concurrent Resolution No. 30—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith—and requests that your honorable body recede therefrom.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### CONSIDERATION OF SENATE AMENDMENT.

The Senate took up for consideration Senate amendment to Assembly Concurrent Resolution No. 30—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith.

SENATE AMENDMENT TO ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTY.

#### AMENDMENT NUMBER ONE.

On page 1, lines 7, 8, 9 and 10, of the printed bill, strike out the following: "eight members, consisting of four members of the Assembly to be appointed by the Speaker of the Assembly, and four members of the Senate to be appointed by the President of the Senate"; and insert in lieu thereof the following: "nine members,

consisting of three members of the Assembly to be appointed by the Speaker of the Assembly, three members of the Senate to be appointed by the President of the Senate and three citizens, two of whom shall be engineers, to be appointed by the governor".

The question being: Shall the Senate recede from Senate amendment to Assembly Concurrent Resolution No. 30?

The roll was called, and the Senate refused to recede from Senate amendment to Assembly Concurrent Resolution No. 30 by the following vote:

AYES—Senators Chamberlin, Christian, Gray, Jones, Ray, Lyon, and Tubbs—6.  
NOES—Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fellom, Garrison, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C., Maloney, McKinley, Murphy, Sharkey, Slater, Wagy, Weller, West, and Young—25.

#### APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Garrison, Hollister and Chamberlin as a Committee on Conference, to meet with a like committee from the Assembly to consider Senate amendments to Assembly Concurrent Resolution No. 30.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed as a Committee on Conference on Assembly Concurrent Resolution No. 30 the following Assemblymen: Crittenden, Duval and Nielsen, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Concurrent Resolution No. 30—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure there-with—reports that it has met a like committee of the Assembly, consisting of Assemblymen Crittenden, Duval and Nielsen, and that the Committee on Conference is unable to agree, and recommends that a Committee on Free Conference be appointed.

GARRISON,  
HOLLISTER,  
Senate Committee on Conference.

#### MINORITY REPORT.

I disagree with the foregoing report for the reason that I am in favor of the Senate receding from its amendment, while the remaining members take the position that the Senate amendment should remain in the resolution.

At the same time, they express the desire that a Committee on Free Conference be appointed to consider and adopt amendments other than the one proposed in the Senate and before the Committee on Conference.

HARRY A. CHAMBERLIN.

Senator Inman moved that the report of Committee on Conference concerning Assembly Concurrent Resolution No. 30 be accepted.

#### AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Boggs and Chamberlin upon the acceptance of the report of Committee on Conference. Whereupon the Secretary was directed to call the roll.



The roll was called, and the report of the Committee on Conference accepted by the following vote:

**AYES**—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Fellom, Garrison, Handy, Hollister, Inman, Johnson, Jones, H. C., Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Waggy, Weller, and Young—23.

**NOES**—Senators Chamberlin, Christian, Ingram, Jones, Ray; and West—5.

Committee discharged, and on motion the entire subject matter was referred to a Committee on Free Conference to be appointed by the President.

LIEUTENANT GOVERNOR IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

#### COMMITTEE ON FREE CONFERENCE APPOINTED.

The President announced the appointment of Senators Boggs, Ingram and Inman as a Committee on Free Conference, to meet with a like committee from the Assembly for the consideration of Assembly Concurrent Resolution No. 30.

The Secretary was directed to notify the Assembly of the Senate appointment of Committee on Free Conference.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted the Committee on Conference report concerning Assembly Concurrent Resolution No. 30—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith—recommending the appointment of a Committee on Free Conference, and the following Assemblymen were appointed: Adams, Bernard and Mixter, to meet with a like committee from your honorable body.

ARTHUR A. OHNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

#### REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Concurrent Resolution No. 30—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith—reports that we have met a like committee of the Assembly, consisting of Assemblymen Adams, Bernard and Mixter, and we report that the Committee on Free Conference agreed upon and recommends that the Senate recede from its amendments, and that the following amendment be adopted:

#### AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed resolution, strike out the period, and insert in lieu thereof a semicolon and the following: "and be it further

*Resolved*, That the sum of fifteen thousand dollars or so much thereof as may be necessary be and the same is hereby appropriated for the purpose of defraying the expenses of said committee and said investigation, said sum to be paid equally from the contingent funds of the Senate and of the Assembly and the state controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee and the state treasurer is hereby authorized and directed to pay the same."

BOGGS,  
INMAN,  
INGRAM,

Senate Committee on Free Conference.

BERNARD,  
MIXTER,  
ADAMS,  
Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference and amendment.

The roll was called, and the report of Committee on Free Conference and amendment adopted by the following vote:

**AYES**—Senators Allen, N. M., Baker, Boggs, Breed, Canepa, Cobb, Crowley, Fel-lom, Garrison, Gray, Handy, Hollister, Ingram, Inman, Johnson, Jones, H. C.; Maloney, McKinley, Murphy, Rush, Sharkey, Slater, Wagy, Weller, and Young—25.  
**NOES**—Senators Chamberlin, Christian, Jones, Ray; Lyon, Tubbs, and West—6.

Assembly Concurrent Resolution No. 30 and the report of Committee on Free Conference ordered transmitted to Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

**ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.**

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Assembly Concurrent Resolution No. 30. Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend some method of procedure therewith.

**ARTHUR A. OHNIMUS, Chief Clerk.**  
By C. W. BOOTH, Assistant Clerk.

Also:

**ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.**

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 314—An act appropriating money to pay the claim of Earl Gates as executor of the last will and testament of F. H. Kerrigan, deceased, against the State of California.

**ARTHUR A. OHNIMUS, Chief Clerk.**  
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 314 ordered to enrollment.

Also:

**ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.**

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 120—An act to amend section 453 of the Civil Code, relating to assessments and to by-laws which may be made for mutual benefit and life associations:

Also: Assembly Bill No. 212—An act requiring persons engaged in the business of cleaning, tailoring, or dyeing clothing to insure property coming into their possession against loss.

Also: Assembly Bill No. 1130—An act to amend section 51 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to disposition of moneys.

**ARTHUR A. OHNIMUS, Chief Clerk.**  
By C. W. BOOTH, Assistant Clerk.

Also:

**ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.**

**MR. PRESIDENT:** I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency the following:

Senate Bill No. 896—An act authorizing the Surveyor General of the State of California to lease certain tidelands in the county of San Diego;

Also: Senate Bill No. 897—An act to add a new section to be numbered 1936 to part III, title IV, chapter II, article I of the Political Code, relating to the powers of the Adjutant General.

**ARTHUR A. OHNIMUS, Chief Clerk.**  
By C. W. BOOTH, Assistant Clerk.

Senate Bills 896 and 897 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 18—Relative to flood control for lands bordering the Mississippi River.

ARTHUR A. OILNIMUS, Chief Clerk.  
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER EIGHTEEN.

Senator Breed asked for and was granted unanimous consent to take up Assembly Joint Resolution No. 18, without reference to committee, for the purpose of adoption.

### ASSEMBLY JOINT RESOLUTION No. 18.

Relative to flood control for lands bordering the Mississippi River.

WHEREAS, The disastrous floods of the past few days along the Mississippi River have wrought great devastation and loss of life, and have become a matter of grave concern to all the people of this nation; and

WHEREAS, The work of restraining these floods is a matter of such magnitude that it can not adequately be accomplished except by federal aid; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That we hereby urge upon the Congress of the United States the adoption of such legislation as may prevent any future possibility of recurrence of such flood damage along the Mississippi; and be it further

*Resolved,* That a copy of this resolution be sent to the President of the United States and to each of the Senators and Congressmen representing California in the Congress of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 18 adopted by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Garrison, Gray, Handy, Hollister, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Mueller, Murphy, Sharkey, Slater, Wagy, Weller, and Young—27.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 18 ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll of the Senators who had not answered to their names.

The roll was called, and Assembly amendments to Senate Bill No. 871 concurred in by the following vote:

AYES—Senators Allen, J. M., Allen, N. M., Baker, Boggs, Breed, Canepa, Christian, Cobb, Crowley, Fallon, Garrison, Gray, Handy, Hollister, Hurley, Ingram, Inman, Johnson, Jones, H. C., Jones, Ray, Lyon, Maloney, McKinley, Murphy, Nelson, Rush, Sharkey, Slater, Tubbs, Wagy, Weller, West, and Young—33.

NOES—None.

Senate Bill No. 871 ordered to enrollment.

### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

#### ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 158—An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and



public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements;

Also: Senate Bill No. 186—An act authorizing and providing for an investigation and report upon the matter of revenue and taxation, providing for a commission therefor and defining the powers and duties of such commission in respect thereto, and making an appropriation therefor;

Also: Senate Bill No. 233—An act to amend section 1513 of the Penal Code, relating to compelling jurors and witnesses to attend;

Also: Senate Bill No. 254—An act to amend sections 2145, 2153a, 2187, 2189, 2090, 2191, and 2192 of the Political Code, relating to the Department of Institutions;

Also: Senate Bill No. 296—An act to provide for the apportionment and assessment upon the district or districts benefited of the cost or a portion of the cost of the separation of the crossing of a railroad or street railroad by a street, highway or public way and for the letting of contracts for the said work and for the enforcement and collection of such assessments, and providing for the issuance and effect of bonds therefor, whether said street or highway or the district to be benefited, lies entirely within the unincorporated territory of a county or entirely within a municipality, or within such unincorporated territory and one or more municipalities, or within two or more municipalities, or where such highway or street forms a portion of the boundary of a municipality, and providing for the payment of a portion of the expenses for such improvement by counties or municipalities at their election;

Also: Senate Bill No. 302—An act to amend the title and sections 1, 2, 3, 4, 8, 9, 10 and 30 of an act entitled "An act to provide for the laying out, opening, extending, widening or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements, and to provide for the continuance of proceedings and actions for improvements under said act commenced prior to and pending at the time of the taking effect of this act and for the validation of such proceedings;

Also: Senate Bill No. 349—An act to add a new chapter to be numbered chapter IIa, embracing section 2980 to division III, part IV, title XIV, of the Civil Code relating to conditional sales;

Also: Senate Bill No. 492—An act to amend section 102 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to headlights;

Also: Senate Bill No. 527—An act to amend section 472 of the Political Code, relating to the duties of the Attorney General and the appointment of an assistant and deputies in such office, fixing the salaries of such assistant and of the chief deputy and providing for the manner of fixing of the salaries of the additional deputies;

Also Senate Bill No. 528—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office, fixing the salaries of the clerks and providing the manner of fixing the salaries of the phonographic reporter, the stenographers and the service agent;

Also: Senate Bill No. 542—An act to amend sections 1 and 2 of and to add two new sections to be numbered 3 and 4 to an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State for the paroling of prisoners confined in county jails and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the board of parole commissioners;

Also: Senate Bill No. 595—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties;

Also: Senate Bill No. 635—An act to amend sections 15 and 17 of an act known as the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to the purchase of materials and supplies and providing for cooperation of said flood control district with public and private corporations;

Also: Senate Bill No. 857—An act to license and regulate the business of private detectives and detective agencies, and to repeal the act entitled "An act to license and regulate the business of private detectives and detective agencies," approved June 7, 1915;

Also: Senate Bill No. 731—An act to provide for declarations of intention concerning street and highway opening and widening and the establishment of future street lines by any county, city or city and county or by the State of California along any present or proposed street or highway;



Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of said State by repealing the first numbered section 11 of article VI, proposed by the forty-fifth session of the Legislature as Assembly Constitutional Amendment No. 2 and approved and ratified by the people at the general election held November 4, 1924, by amending sections 3, 4, 5 and 13 of said article and by adding to said article new sections to be numbered 4a, 4b, 4c and 11a, relating to courts of record and inferior courts;

Also: Senate Bill No. 579—An act to authorize the Director of Agriculture to provide for the certification of fruits, vegetables and other farm products, to cooperate with the United States Department of Agriculture in carrying out the provisions of this act, to provide for the payment of fees, to establish a fruit and vegetable certification fund and revolving fund for the purpose of carrying out the provisions of this act;

Also: Senate Bill No. 132—An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts;

Also: Senate Bill No. 343—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Senate Bill No. 25—An act to amend sections 2 and 4 of an act entitled "An act declaring property infested with certain rodents to be a public nuisance; requiring owners, occupants, and persons having possession of or dominion over such property to endeavor to exterminate and destroy such rodents; providing for the inspection of property by boards of health and health officers; authorizing boards of supervisors and other governing bodies to purchase materials and employ inspectors to prosecute such work of extermination; authorizing State and local health authorities to prosecute such work in certain cases; providing for the payment of the expense thereof; making the amount of such expense a lien on the property; providing for the collection of such amount by foreclosure of such lien and declaring any violation of the provisions thereof to be a misdemeanor," approved March 13, 1909, relating to the extermination of certain rodents;

Also: Senate Concurrent Resolution No. 29—Relative to an investigation of the subject of convict labor;

Also: Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article XVI thereof a new section to be numbered 7, authorizing the issuance and sale of 6000 bonds of the State of California in the denomination of \$1,000 each, authorizing the disposition of the proceeds of the sale of said bonds for certain purposes, and approving, adopting, legalizing, validating and making fully and completely effective the California State Park Bonds Act of 1927, as passed by the Senate and Assembly at the forty-seventh session of the Legislature and approved by the Governor;

Also: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article XVI thereof a new section to be numbered 6, relative to the issuance of bonds to the amount of \$10,000,000 for the acquisition of rights of way for railroad grade separations on the roads within the State highway system of the State of California, and for the construction of said railroad grade separations by the California Highway Commission;

Also: Senate Bill No. 83—An act to amend section 3065 of the Civil Code, providing for liens on logs, lumber and other timber products by persons who by their own labor, or by using their live stock, machinery or appliances, or both, assist in felling, preparing, or transporting logs or in manufacturing lumber or other timber products from such logs, providing for means by which the owner of such logs and products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be; to add a new section to the Civil Code, to be numbered 3065a, providing for means of enforcing such liens; to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, together with acts amending same approved April 12, 1880, and March 8, 1887; and to repeal all other acts and parts of acts in conflict with this act;

Also: Senate Bill No. 800—An act to amend section 349 of the Political Code, relating to the location of the offices of the departments and the residence of the heads thereof;

Also: Senate Bill No. 788—An act to amend sections 364, 364a, 364b, 364c and 364d of the Political Code and to add new sections to said code to be numbered sections 364e to 364j, inclusive, relating to a Department of Industrial Relations;

Also: Senate Bill No. 855—An act revising and amending section 14 of an act entitled "An act to promote drainage," approved March 18, 1885, as amended, providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such district, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificate and a period of redemption and for the issuance of a deed, and for subsequent sales thereof;

Also: Senate Bill No. 834—An act to amend sections 11 and 22 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended;

Also: Senate Bill No. 767—An act to amend section 6j of an act entitled "An act to provide for work done upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended, relative to the filing by contractors and others of bonds or certified checks;

Also: Senate Bill No. 705—An act to amend section 1691 of the Code of Civil Procedure, relating to the assignment for distribution of estate to nonresident persons;

Also: Senate Bill No. 644—An act to amend section 1203 of the Penal Code, defining the powers of the court in regard to probation of persons guilty of crime and relating to the probation of persons arrested for crime after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of the offices of adult probation officer, assistant adult probation officer and deputy adult probation officer in certain counties and cities and counties and fixing their compensation and duties and providing for adult probation boards in certain counties and cities and counties;

Also: Senate Bill No. 44—An act to amend sections 1, 2, 3 and 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to definitions, licenses, and what must be stated in applications therefor, giving to the Commissioner of Labor the power to revoke, suspend or refuse to grant licenses, providing penalties for operating an agency, directly or indirectly, without a license, for transferring or accepting any interest therein without permission from the commissioner, or for failing to list in the application all persons financially interested in the agency in question, prohibiting the conducting of agencies in connection with pool halls and soft drink parlors and more specifically defining what are employment agencies;

Also: Senate Bill No. 638—An act to amend the California Vehicle Act approved May 30, 1923, as amended and approved May 16, 1925, by amending sections 7, 12, 19, 28, 31, 36, 42, 46, 47, 55, 57, 58, 60, 63, 69, 73, 78, 85, 90, 96, 100, 101, 104, 108, 112, 113, 114, 115, 116, 117, 118, 142, 147, 148, 151, 154 and 159, and by adding thereto new sections to be numbered 7½, 19½, 45½, 77½ and 159½, relating to the use and operation and the equipment of vehicles operated upon public highways, the registration of motor vehicles, the licensing of operators, the reporting of accidents and stolen or embezzled motor vehicles, the location of signs to give notice of the provisions of the act, the injuring of or tampering with vehicles, the driving or pasturing of live stock on highways, and to the enforcement of said act and the disposition of fees collected under said act;

Also: Senate Bill No. 866—An act to amend section 1523 of the Code of Civil Procedure, relating to the sale of personal property by executors and administrators;

Also: Senate Bill No. 700—An act to amend section 1663 of the Code of Civil Procedure, relating to the partial distribution of estates of deceased persons;

Also: Senate Bill No. 688—An act to amend section 204e of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties where there is a secretary of the judges of the superior court;

Also: Senate Bill No. 226—An act to amend section 4300h of the Political Code, relating to coroners' fees;

Also: Senate Bill No. 21—An act to amend section 1018 of the Penal Code of the State of California, relating to plea of guilty, how put in and when and how it may be withdrawn;

Also: Senate Bill No. 544—An act to amend section 359 of the Civil Code, relating to the issuance of stock or bonds, creating or increasing bonded indebtedness, and increasing or diminishing the capital stock of corporations;

Also: Senate Bill No. 679—An act to amend section 4024 of the Political Code of the State of California, relating to appointment of deputies;

Also: Senate Bill No. 605—An act to amend section 642 of the Political Code, relating to the duties of the fish and game commissioners;

Also: Senate Bill No. 576—An act providing for the manner of payment of the extra compensation of justices, judges and justices of the peace, sitting in courts other than their own under assignment thereto by the chairman of the Judicial Council, and for the manner of payment of the necessary expenses for travel, board and lodging of such justices and judges incurred in the discharge of such assignments;

Also: Senate Bill No. 858—An act to provide for the formation, powers, duties, government, and maintenance of sanitary districts in the State; the acquisition, maintenance, improvement, and disposal of property thereby; the acquisition, construction, maintenance, and disposal of certain public improvements therein; the alteration of boundaries and dissolution of such districts; and the reorganization of existing sanitary districts in the State under the provisions of this act;

Also: Senate Bill No. 372—An act to amend section 1243 of the Penal Code, relating to stay of execution pending appeal in criminal cases;

Also: Senate Bill No. 162—An act concerning aeronautics and to make uniform the law with reference thereto;

Also: Senate Bill No. 88—An act to amend sections 1044, 1083b, 1096, 1096a, 1125, 1151, 1192, 1195b, 1204, 1205, 1210, 1261, 1262, 1264, 1265 of the Political Code, relating to registration of electors and conduct of elections;

Also: Senate Bill No. 686—An act to repeal chapter I and articles I to VI inclusive of chapter II of title X of part IV, division III, of Civil Code, and to add a new chapter I of title X of part IV, division III, in place thereof, and to declare title XI of part III of the Code of Civil Procedure in certain respects limited by said new chapter I, and to amend article VII of chapter II of title X of part IV, division III, of the Civil Code, by making said article VII, chapter II of title X of part IV, division III of the Civil Code; all relating to partnerships; and to make the partnership law of the State of California uniform with the law of other states;

Also: Senate Bill No. 685—An act to repeal chapter III of title X of part IV, division III of the Civil Code, and to add a new chapter III of part IV, division III, in place thereof, all relating to limited partnerships, and to make the law relating to limited partnerships uniform with the law of other states;

Also: Senate Bill No. 620—An act to amend section 1526 of the Code of Civil Procedure, relating to the sale and conveyance of property of decedents;

Also: Senate Bill No. 460—An act to amend section 628b of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 394—An act to amend sections 954 and 956 of the Penal Code, relating to pleadings and form of indictment, information, or complaint in criminal cases;

Also: Senate Bill No. 822—An act to provide for the creation of a commission for the study of the problem of public education beyond the elementary grade in California, and providing an appropriation therefor;

Also: Senate Bill No. 802—An act to amend chapter IV of title I of part III of the Political Code by amending section 726 thereof and adding thereto a new section to be known as 727, to relate to the Judicial Council and the duty of county clerks and clerks of the various courts;

Also: Senate Bill No. 761—An act to amend section 47 of the Civil Code, relating to privileged publications;

Also: Senate Bill No. 742—An act to amend section 548 of the Code of Civil Procedure, relating to property under attachments;

Also: Senate Bill No. 3—An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended and approved May 23, 1925;

Also: Senate Bill No. 580—An act to promote the development of the California fruit, nut and vegetable industry in State, interstate and foreign markets; to protect the State's reputation in these markets, to establish standards and standard containers for certain fruits, nuts and vegetables specified herein, and to prevent deception in the packing, marking and sale of fruits, nuts and vegetables, to prescribe penalties for the violation of the provisions hereof and to repeal the "California Fruit and Vegetable Standardization Act," approved May 23, 1925;



Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 3 of article XII thereof, relating to the liability of stockholders and directors;

Also: Senate Concurrent Resolution No. 20—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee to confer with commissions from the states of Oregon and Washington for the purpose of considering and recommending the enactment of effective and uniform laws governing the traffic in narcotic drugs and related matters;

Also: Senate Concurrent Resolution No. 25—Relative to an investigation and report upon educational facilities for the instruction of the deaf;

Also: Senate Bill No. 888—An act to provide for a survey of and works on the Santa Ana River watershed and basin for flood control and making an appropriation therefor;

Also: Senate Bill No. 513—An act to amend section 3 of an act entitled "An act to create a police relief, health and life insurance, and pension fund in the several counties, cities and counties, cities and towns of the State," approved March 4, 1889, as amended;

Also: Senate Bill No. 281—An act to add a new section to be numbered 8h to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended;

Also: Senate Bill No. 740—An act to amend an act of the Legislature of the State of California known and designated as the "Acquisition and Improvement Act of 1925," approved May 23, 1925, by adding new sections thereto to be numbered sections 283, 33a, 33b, 33c, 363 and 37a, relating to the issuance of immediate possession bonds, the entering of stipulated judgments in condemnation suits and hearings thereon, the issuance of bonds for acquisitions and improvements, and the entering of more than one final judgment in a condemnation action;

Also: Senate Bill No. 377—An act to amend section 1168 of the Penal Code, relating to sentences under the indeterminate sentence law and prescribing minimum terms of imprisonment to be served in certain cases before parole is granted;

Also: Senate Bill No. 398—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant;

Also: Senate Bill No. 82—An act to amend section 817 of the Penal Code, relating to peace officers;

Also: Senate Bill No. 263—An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the powers of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof;

Also: Senate Bill No. 701—An act to amend Political Code by adding thereto a section to be known as section 633aa, relating to license to act as life, accident or health insurance agent;

Also: Senate Bill No. 48—An act reserving certain lands situated in Mission Bay, in the county of San Diego, to be used as a State Park, providing for the management of the same by the Department of Natural Resources; prescribing the duties and powers of such department;

Also: Senate Bill No. 802—An act to amend section 19a5 of the Juvenile Court Law approved June 5, 1915, as amended, relating to compensation and expenses of probation officers, their deputies, assistants and employees in counties of the fifth class;

Also: Senate Bill No. 266—An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation, and authorizing the sale or other disposition of such lands;

Also: Senate Bill No. 300—An act to amend section 1612a of the Political Code of the State of California, relating to the time of preparing and filing school budgets;

Also: Senate Bill No. 298—An act to amend section 3714 of the Political Code of the State of California, relating to the levy of taxes;

Also: Senate Bill No. 299—An act to amend sections 1830, 1836 and 1840 of the Political Code of the State of California, relating to elementary and district school funds and taxes;

Also: Senate Bill No. 809—An act to amend section 737c of the Political Code, relating to salaries of judges of the superior court in and for the county of Santa Clara;

Also: Senate Bill No. 687—An act to amend sections 1, 2, 3, 4, 6, 8, 10a, and 11 of an act entitled "An act to provide for the formation, management, and dissolution, of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, as amended, and



to add a new section thereto to be numbered section 12, relating to the formation and dissolution of county fire protection districts and annexations thereto and withdrawals therefrom and the satisfaction of the obligations thereof;

Also: Senate Bill No. 780—An act to amend section 122 of the "Bank Act," approved March 1, 1909, as amended, relating to the location of the principal office of the State Banking Department;

Also: Senate Joint Resolution No. 11—Relating to securing the aid of the United States government in establishing a basis for execution of some comprehensive plan for development of the water resources of California;

Also: Senate Bill No. 708—An act to repeal that certain act entitled "An act to impose a license fee for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicles; to provide for certain exemptions; to provide for the enforcement of the provisions hereof and for the disposition of the amounts collected on account of such licenses; to make an appropriation for the purpose of this act; and to repeal all acts or parts of acts in conflict herewith," approved May 23, 1925;

Also: Senate Bill No. 709—An act to amend section 77 of "The California Vehicle Act," relating to registration fees;

Also: Senate Bill No. 725—An act to regulate and license the maintenance and operation of commercial hunting clubs and to provide revenue therefrom for fish and game protection and restoration;

Also: Senate Bill No. 476—An act to amend section 1761 of the Code of Civil Procedure, relating to special notice of administration proceedings and demand thereof;

Also: Senate Bill No. 418—An act to amend section 1207 of the Penal Code, relating to judgments in criminal cases;

Also: Senate Bill No. 362—An act to add a new section to the Penal Code, to be numbered 1506, relating to appeals in habeas corpus cases;

Also: Senate Bill No. 889—An act to amend section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, as amended, relating to certain narcotic drugs;

Also: Senate Bill No. 884—An act to add a new title to part IV of division I of the Civil Code, to be known as title XXIV, consisting of sections numbered 653*ab* to 653*ag*, inclusive, and relating to the formation of corporations to receive bequests, gifts, and donations and administer the same;

Also: Senate Bill No. 691—An act to add a new section to the Civil Code to be numbered 410, relating to foreign corporations;

Also: Senate Bill No. 893—An act granting an easement for a pier at Pacific Beach, San Diego County, to the Crystal Pier Amusement Company, a corporation;

Also: Senate Bill No. 734—An act to amend section 602 of the Political Code, relating to insolvency of insurance companies;

Also: Senate Bill No. 510—An act to provide for the acquisition of, including the laying out, opening, extending, widening, straightening, and acquiring in any manner, in whole or in part, and for the improvement of and work upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, parks, pleasure grounds, pleasure piers, commons, and all public ways and other property and rights of way and easements of the public, including any right of way of which immediate possession and use has been obtained under the provisions of section 14 of article I of the constitution of the State of California, in whole or in part, whether lying entirely within unincorporated territory of a county or the territory of a municipality, or lying within such unincorporated territory and one or more municipalities, or lying within two or more municipalities, or forming the exterior boundary of any municipality where the same joins unincorporated territory of a county or the territory of another municipality, whether partly or wholly within or without said boundary, and the establishment and change of grade thereof; and providing for the payment of the costs and expenses of such acquisitions and such work and improvements, and the issuance and effect of bonds therefor and the payment of such bonds by special assessment taxes raised in assessment districts established for that purpose, and the enforcement of such bonds and taxes; and providing for aid from counties and municipalities in such acquisitions, work and improvements; and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements;

Also: Senate Bill No. 805—An act relating to the Supreme Court, to amend sections 749, 755 and 756 of the Political Code, and to provide for the appointment, employment and compensation of phonographic reporters, assistants, secretaries and librarian and other employees of the Supreme Court of the State of California, and for the salaries and expenses incurred by the said court under the provisions of this act, and making an appropriation therefor, and to amend section 767 of the Political Code to provide for the salaries of the reporter and assistant reporters of the decisions of the Supreme Court and the district courts of appeal, and repealing sections 739, 751*½*, 769, 770, 2313, 2314, 2315 and 2316 of the Political Code, and sections 265, 266 and 268 of the Code of Civil Procedure;

Also: Senate Bill No. 741—An act to add a new section, to be numbered 13, to an act entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the collection of facts, information, and statistics to promote the education, employment and general welfare of the deaf;

Also: Senate Bill No. 799—An act to amend section 592 of the Political Code, relating to the place of the office of the Insurance Commissioner;

Also: Senate Bill No. 439—An act to provide that the Department of Natural Resources through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund;

Also: Senate Bill No. 440—An act authorizing the State Park Commission to make a survey and report on sites suitable for State parks; authorizing the commission to receive gifts of money for the purpose of carrying on this survey; and providing for an appropriation for the carrying on of this survey and repealing an act entitled "An act relating to the acquisition by the State of forest land for park purposes; authorizing the State Board of Forestry to make a survey and report on all suitable forest park sites in the State; providing a method for procuring such parks by purchase, gift, devise, donation or condemnation proceedings, or proceedings in eminent domain and for procuring money for the acquisition and maintenance thereof, and prescribing the procedure therefor; reserving certain rights to the owners of land adjacent to the lands so acquired; providing for assistance by the Attorney General; vesting the State Board of Forestry with jurisdiction and control of such parks after their acquisition by the State and of any funds provided for the purchase or maintenance thereof; providing for the expenses of said board in carrying out the purposes of this act; and prescribing the procedure for carrying out the provisions of this act," approved May 29, 1923;

Also: Senate Bill No. 356—An act to regulate the hunting of deer and to provide for the tagging of the carcass of any deer killed, and to provide for the transportation of lawfully killed deer from an open district into a closed district, and to provide revenue therefrom for fish and game preservation, propagation and protection, and providing a penalty for violation;

Also: Senate Bill No. 318—An act to amend section 412 of the Political Code, relating to appointees of the Secretary of State;

Also: Senate Bill No. 293—An act to amend section 439 of the Political Code, relating to employees in Controller's office;

Also: Senate Bill No. 443—An act to amend sections 5 and 12 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the practice of dentistry;

Also: Senate Bill No. 466—An act to amend section 2 of an act entitled "An act to regulate the issuance of licenses for resale to hunters and anglers," approved May 20, 1915, as amended;

Also: Senate Bill No. 538—An act to amend section 605 of the Political Code, relating to licensing of insurance agents;

Also: Senate Bill No. 583—An act to add a new section to the Penal Code, to be numbered 626½, relating to the protection of game;

Also: Senate Bill No. 714—An act to create a new section, to be numbered section 876a to an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to depository funds of cities of the sixth class in banks;

Also: Senate Bill No. 724—An act to add a new section to the Political Code, to be numbered 1751a, relating to attendance at high school;

Also: Senate Bill No. 52—An act to amend section 589 of the Political Code, relative to salaries in the Insurance Commissioner's office;

Also: Senate Bill No. 66—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers of counties of the fifth class;

Also: Senate Bill No. 107—An act to amend section 3 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, as amended, and to add two new sections thereto to be numbered 3a and 3b respectively, relating to licenses;

Also: Senate Bill No. 259—An act to add a new section to the Political Code, to be numbered 629b, relating to group life insurance;

Also: Senate Bill No. 261—An act to amend section 629a of the Political Code, relating to group life insurance and valuation thereof;

Also: Senate Bill No. 90—An act to amend sections 5, 6, 7, 8, 10, 25, and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act

approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913; and amended and approved May 29, 1917; and amended and approved April 8, 1919;

Also: Senate Bill No. 103—An act to add new sections to the Political Code to be numbered 737a, 737b, 737c, 737d, 737e, 737f, 737g, 737h, 737i, 737j, 737k, 737l, 737m, 737n, 737o, 737p, 737q, 737r, 737s, 737t, 737u, 737v, 737w, 737x, 737y, 737z, 737aa, 737bb, 737cc, 737dd, 737ee, 737ff, 737gg, 737hh, 737ii, 737jj, 737kk, 737ll, 737mm, 737nn, 737oo, 737pp, 737qq, 737rr, 737ss, 737tt, 737uu, 737vv, 737ww, 737xx, 737yy, 737zz, 737aaa, 737bbb, 737ccc, 737ddd, 737eee, 737fff, and to repeal certain old sections of said code respectively numbered 737, 737a, 737b, 737c, 737d, as added by chapter 877 of the Statutes of 1921, 737d as added by chapter 864 of the Statutes of 1921, 737d as added by chapter 851 of the Statutes of 1921, 737e, 737f, 737g, 737h, 737i, 737j, 737k, 737l, 737m, 737n, 737o, 737p, 737q, 737r, 737s, 737t, 737u, 737v, 737w, 737x, 737y, 737z, 737aa, 737ab, 737acc, 737rrr, 738, 738a, 738b as added by chapter 450 of the Statutes of 1925, 738b as added by chapter 455 of the Statutes of 1925, 738c and 738d, all relating to salaries of judges of the superior court;

Also: Senate Bill No. 518—An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways;

Also: Senate Bill No. 594—An act to add a new section to the Political Code to be numbered 737dd and to repeal that certain section numbered 737d which was added to said code by chapter DCCCLI of the Statutes of 1921, relating to the salaries of the judges of the superior court in and for the county of San Diego;

Also: Senate Bill 610—An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act;

Also: Senate Bill No. 763—An act to add a new section to the Political Code to be known as section 738b1, relating to the salary of the superior judge of Mendocino county;

Also: Senate Bill No. 607—An act to authorize and empower the Director of Natural Resources to close to fishing and camping any area in any State park or forestry area or fish and game district;

Also: Senate Bill No. 670—An act to authorize the creation of county adjustment schools for the care of minors under eighteen years of age; to provide for the maintenance and management of same, and the making of commitments and transfer of said minors thereto, and the support of said minors therein;

Also: Senate Bill No. 578—An act granting to the La Jolla Beach and Yacht Club, a corporation, a perpetual easement for a channel across certain tidelands in the city of San Diego;

Also: Senate Bill No. 236—An act to add a new section to be numbered 736c to the Political Code prescribing the payment of salaries of judges of the superior courts;

Also: Senate Bill No. 208—An act to amend section 738d of the Political Code, relating to salaries of superior court judges in the counties of Tulare and Kings;

Also: Senate Bill No. 804—An act to amend section 737b of the Political Code, relating to salaries of the judges of the superior court of the county of Imperial;

Also: Senate Bill No. 2—An act to amend section 738c of the Political Code, relating to the salaries of the judges of the superior court of the county of Monterey;

Also: Senate Bill No. 105—An act to add a new section to the Political Code to be numbered 737ee, relating to the salaries of superior court judges;

Also: Senate Bill No. 865—An act to authorize the Attorney General, as prochein ami or next friend acting for and on behalf of the Indians of California, to bring suit or suits against the United States in the Court of Claims in the event that the Congress of the United States authorizes the same and making an appropriation to cover expenses incident thereto;

Also: Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 5 of article XI of the constitution of the State, relating to the compensation of county officers and jurors;

Also: Senate Bill No. 585—An act to authorize cities, counties, and cities and counties, to establish official master plans and to appoint planning commissions; prescribing the powers and duties of said planning commissions; providing for the approval of plats, for penalties for nonconformance thereto, that building permits shall conform to official master plans, for establishing and enforcing future street lines, for the appointment of regional planning commissions and prescribing their powers and duties;

Also: Senate Bill No. 896—An act authorizing the Surveyor General of the State of California to lease certain tidelands in the county of San Diego;



Also: Senate Bill No. 897—An act to add a new section to be numbered 1936 to part III, title IV, chapter II, article I of the Political Code, relating to the powers of the Adjutant General;

Also: Senate Bill No. 269—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court of Los Angeles County, increasing the number of judges thereof;

Also: Senate Bill No. 539—An act to amend section 663 of the Political Code, relating to licensing of insurance agents;

Also: Senate Bill No. 890—A bill to amend the Workmen's Compensation, Insurance and Safety Act of 1917 as amended, by adding two new sections to be known as sections 364 and 554, relating to authorization to the State Compensation Insurance Fund to insure against liability under, and to the Industrial Accident Commission to assist in the enforcement of the United States Longshoremen's and Harbor Workers' Compensation Act;

Also: Senate Bill No. 32—An act to amend section 30 of the California Vehicle Act approved May 30, 1923;

Also: Senate Bill No. 409—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals;

Also: Senate Bill No. 823—An act to add a new section to the Political Code, to be numbered 363i, providing for the supervision of ports by the Department of Public Works;

Also: Senate Bill No. 846—An act to add four new sections to the Political Code to be numbered 2882, 2883, 2884 and 2885, respectively, relating to the extension of toll bridge franchises by boards of supervisors;

Also: Senate Bill No. 856—An act transferring the operation and control of certain of the flood control works of the Sacramento and San Joaquin Drainage District to the Department of Public Works, and providing that the cost thereof shall be paid by the State for a limited period and relieving said district and the reclamation board and its members from responsibility and liability for operation or maintenance of flood control works during said period; providing for the cancellation of bonds of said district authorized but not sold; authorizing the Reclamation Board to levy a supplementary assessment and to order called assessments levied in connection with Project No. 6; authorizing the issuance of bonds of said district based on and secured by assessments upon the land within the boundaries of Project No. 6 of said district; authorizing the validation of said bonds; authorizing the State Board of Control to purchase and invest in warrants and bonds of said district; authorizing land owners within said Project No. 6 to pay assessments in warrants or bonds of said district; adding to, taking away from and altering an act known as the Reclamation Board Act, approved December 24, 1911, as amended, and repealing all other acts or parts of acts in so far as they are in conflict herewith;

Also: Senate Bill No. 883—An act to create a flood control district to be called "American River Flood Control District"; to provide for the control and disposition of storm and flood waters and for the protection of waterways, property, public highways and public places in said district from damage from such waters, and for the construction of works and the acquisition of property within or without the district; providing for the payment of the costs and expenses of such acquisitions and improvements, and the issuance and effect of bonds therefor and the payment of such bonds and maintenance costs of said district by special assessments raised in said district, and the enforcement of such bonds and assessments, and providing for the establishment and administration of revolving funds to assist in the carrying out of such acquisitions, work and improvements; and providing for the annexation of property to said district; and providing for the government and control of said district; and to define the powers and duties of the officers thereof; authorizing the incurring of an obligation, not exceeding \$25,000, by said district in advance of the authorization of bonds by said district; providing for the redemption of warrants evidencing said indebtedness by the State and for the repayment of one-half of the moneys so advanced by the State for such redemption, and appropriating the sum of \$25,000 for said purpose;

Also: Senate Bill No. 894—An act appropriating money for painting the interior, recarpeting, renovating, reupholstering and refinishing and replacing chairs and desks and replacing drapes and correcting the lighting in the Senate and Assembly chambers and offices connected therewith;

Also: Senate Bill No. 417—An act creating the California Crime Commission, defining its duties, and making appropriation for its expenses; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1927, at 11 o'clock a.m.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 573—An act to amend sections 224, 226 and 227 of, and to add a new section to be numbered 224m to the Civil Code, relating to adoption;



Also: Senate Bill No. 597—An act to add a new section to the Political Code, to be numbered 737*c*, relating to the salary of superior judge in Contra Costa County;

Also: Senate Bill No. 327—An act to amend section 542 of the Code of Civil Procedure, relating to attachment of real and personal property;

Also: Senate Bill No. 895—An act to add a new section to the Political Code to be numbered section 4276*b*, relating to the compensation and expenses of the county surveyor in counties of the forty-seventh class;

Also: Senate Bill No. 217—An act appropriating \$200,000 to be expended by and under the direction of the Department of Public Works for the purpose of operating and maintaining such of the flood control works of the Sacramento and San Joaquin Drainage District as may by law be imposed upon the State;

Also: Senate Bill No. 891—An act to amend section 16 of the Juvenile Court Law, approved June 5, 1915, as amended;

Also: Senate Bill No. 892—An act to amend sections 915 and 925 of the Penal Code, relating to the powers and duties of grand juries and requiring transcript of testimony before same to be made and copy thereof to be delivered to an indicted defendant;

Also: Senate Bill No. 873—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject; and repealing acts inconsistent herewith;

Also: Senate Bill No. 859—An act to amend section 2533 of the Political Code, relating to the San Francisco harbor improvement fund;

Also: Senate Bill No. 781—An act authorizing the Board of Control to reconvey certain real property to L. B. Collins;

Also: Senate Bill No. 764—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years;

Also: Senate Bill No. 204—An act to amend section 758 of the Political Code, relating to salaries of employees of the district courts of appeal;

Also: Senate Bill No. 839—An act to amend section 117 of the Political Code, relating to the division of the State and congressional districts and defining and establishing such districts;

Also: Senate Bill No. 314—An act appropriating money to pay the claim of Earl Gates as executor of the last will and testament of P. H. Kerrigan, deceased, against the State of California;

Also: Senate Bill No. 885—An act providing for the investigation by the California Highway Commission of the operation of toll bridges in California and any matters connected therewith, and for the submission of a report thereon to the forty-eighth session of the Legislature embodying recommendations with reference to the taking over of any existing bridge or bridges by the State with a plan for financing acquisition of same and the amortization of the costs by tolls or the construction of toll bridges and any other pertinent matters relating to the same problem;

Also: Senate Bill No. 871—An act providing for the acquisition by the State, by purchase, condemnation, gift or other legal means, of any land or other property or right determined to be essential to the protection of interests of the State for purposes of flood control, river flow control and equation, irrigation, reclamation, power development or any one or more of such or other public uses; defining the powers and duties of State officers and departments in valuation thereto and making an appropriation therefor;

Also: Senate Bill No. 819—An act making an appropriation for the purchase of additional lands for the enlargement of Mount Diablo Park in Contra Costa County; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1927, at 11 o'clock a.m.

JONES, RAY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 659—An act providing for the exchange of certain lands of the State, situate in a national park, and for the management and control of the lands acquired in exchange;

Also: Senate Bill No. 642—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 20, 31, 53, 56*a*, 65, 80, 83 and 105, and by adding new sections thereto to be numbered sections 31*c* and 31*d*, all relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 487—An act to add a new section to the Civil Code, to be numbered section 3321, relating to the measure of damages by the payment of a check which has been ordered stopped;

Also: Senate Bill No. 807—An act to protect the reputation of the California fruit and vegetable industry by regulating the packing, shipping, storing, delivering for shipment, selling or offering for sale, any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredient, vesting in the Director of Agriculture the enforcement of the provisions hereof and the promulgation and enforcement of rules and regulations hereunder, providing penalties and making an appropriation therefor, and declaring this act to be an urgency measure;

Also: Senate Bill No. 817—An act making an appropriation for the completion of the bridge across the Sacramento River at Rio Vista, and making same an urgency measure;

Also: Senate Bill No. 181—An act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Senate Bill No. 696—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act;

Also: Senate Bill No. 570—An act to amend sections 2337, 2338, 2341, 2344 and 2346 of the Political Code, relating to the powers and duties of the State Department of Public Welfare;

Also: Senate Bill No. 695—An act to amend sections 1 and 8 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923;

Also: Senate Bill No. 177—An act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax;

Also: Senate Bill No. 489—An act to add a new section to the Civil Code, to be numbered section 3265f, relating to actions for paying checks after payment has been stopped;

Also: Senate Bill No. 864—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Senate Bill No. 49—An act to amend section 6 of an act approved April 30, 1919, to amend an act entitled "An act to amend section 6 of an act entitled 'An act concerning the waterfront of the city and county of San Francisco,'" approved May 17, 1917;

Also: Senate Bill No. 58—An act to increase the number of judges of the superior court of the county of Alameda, and for the appointment of such additional judge;

Also: Senate Bill No. 84—An act appropriating money to pay the claim of the cashier of the Board of State Harbor Commissioners of San Francisco against the State of California;

Also: Senate Bill No. 152—An act to create a commission to codify laws relating to the public schools of the State of California and making an appropriation therefor;

Also: Senate Bill No. 188—An act to amend section 456 of the Political Code, relating to employees in the office of the State Treasurer and fixing their salaries;

Also: Senate Bill No. 239—An act to amend section 3 of an act entitled "An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Department and the office of Real Estate Commissioner; to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define real estate brokers, agents, salesmen, solicitors; to provide for the regulation, supervision, and licensing thereof; to create the office of Real Estate Commissioner; and making an appropriation therefor,' approved June 1, 1917, and all acts or parts of acts inconsistent with the provisions of this act," approved May 27, 1919, as amended, relating to the creation of the State Real Estate Department and the powers and duties of the State commissioner thereof;

Also: Senate Bill No. 260—An act to add a new section to the Civil Code, to be numbered 2768, relating to the disposition of the proceeds of policies of life or endowment insurance;

Also: Senate Bill No. 312—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund;

Also: Senate Bill No. 319—An act to add a new section to article II of chapter III of title I of part III of the Political Code to be numbered 362g, relating to the establishment of a Division of School Planning in the State Department of Education and making an appropriation therefor;

Also: Senate Bill No. 368—An act to amend section 1288 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury;

Also: Senate Bill No. 371—An act to add a new section to the Penal Code, to be numbered 1275, relating to bail bonds;

Also: Senate Bill No. 386—An act to add a new section to the Penal Code, to be numbered 1026a, relating to release of defendant committed to State institution for insane, in criminal case;

Also: Senate Bill No. 407—An act to amend section 668 of the Penal Code, relating to added punishment of criminals because of prior convictions outside of this State;

Also: Senate Bill No. 416—An act to repeal section 1077 of the Penal Code, relating to challenges to individual jurors in criminal cases;

Also: Senate Bill No. 429—An act to repeal sections 635a, 635b, 635c, 635d, 635e, 635f, 635g, 635h, 635i, 635j, 635k and 635l of the Political Code;

Also: Senate Bill No. 459—An act to authorize the transportation of certain dependent children for whom proper homes are offered outside the State;

Also: Senate Bill No. 488—An act to repeal section 321 of the Civil Code of the State of California, relating to books of banks which shall be open to inspection;

Also: Senate Bill No. 503—An act to amend section 319 of the Civil Code, relating to the place of corporate meetings;

Also: Senate Bill No. 508—An act appropriating money to pay the claim of Percy E. Towne and Peter A. Breen against the State of California;

Also: Senate Bill No. 567—An act to amend section 1859 of the Political Code, relating to the length of the school term;

Also: Senate Bill No. 569—An act to provide for the separation of crossings of highways and steam and electric railways in the State of California providing that certain funds shall be devoted to said purposes to be expended by the California Highway Commission subject to certain orders of the State Railroad Commission;

Also: Senate Bill No. 571—An act to amend section 759 of the Political Code, relating to salaries of reporters of the district courts of appeal;

Also: Senate Bill No. 621—An act making an appropriation to pay the claim of Edward J. Kelly against the State of California;

Also: Senate Bill No. 637—An act declaring that certain lands situate in the city of Oakland, county of Alameda, State of California, are not tidelands and releasing any claim that the State of California may have in and to said lands;

Also: Senate Bill No. 649—An act making an appropriation to pay the claim of Richard Kittrelle against the State of California;

Also: Senate Bill No. 666—An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violations;

Also: Senate Bill No. 689—An act to amend an act entitled "An act to define the duties of and to license land surveyors, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 31, 1891," approved March 16, 1907, by amending section 9 thereof, relating to the recordation of records of survey platting or subdividing land into lots for the purpose of sale;

Also: Senate Bill No. 692—An act to amend section 2220 of the Civil Code, relating to the purposes for which trusts may be created;

Also: Senate Bill No. 694—An act to repeal sections 847 and 857 of the Civil Code, relating to trusts on real property;

Also: Senate Bill No. 840—An act providing for the expenditure of money, appropriated by the Legislature of the State of California, for the rectification of the channel of the San Joaquin River in cooperation with the government of the United States, in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927; authorizing the Board of Control to acquire rights of way therefor and authorizing the Governor on behalf of the State of California to convey said rights of way to the United States of America;

Also: Senate Bill No. 869—An act to amend section 15 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to salary of Corporation Commissioner;

Also: Senate Bill No. 875—An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act;



Also: Senate Bill No. 886—An act to amend section 3804 of the Political Code, relating to erroneously collected taxes, penalties and costs, and the refund of taxes collected on tax exempt property.

Also: Senate Bill No. 876—An act to add a new section to the Political Code, to be numbered 2527a, relating to the powers of the State Board of Harbor Commissioners as to the construction and leasing of extensions of wharves or piers owned by the State of California and under the control of said board, and providing for the right of ingress to and egress from such extensions over such wharves or piers during the term of said lease.

Also: Senate Bill No. 16—An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of an additional judge and the manner of payment of his compensation.

Also: Senate Bill No. 85—An act to amend section 368b of the Penal Code, relating to the transportation of live stock on railroads.

Also: Senate Bill No. 96—An act to add fifty five new sections to be numbered 16741 consecutively to 16758 and to amend sections 16 and 17 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof"; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended.

Also: Senate Bill No. 101—An act to amend section 1249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

Also: Senate Bill No. 173—An act to amend sections 199 and 200 of the Code of Civil Procedure, relating to qualifications and exemptions of jurors.

Also: Senate Bill No. 126—An act to amend sections 1 and 9 of an act entitled "An act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places, and rights of way, and of any of the following avenues of public travel, namely, tunnels, subways, viaducts, bridges or independent subterranean ways in municipalities and providing for the construction or improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvements, and for the payment and effect of such bonds," approved June 16, 1913, as amended, relating to street improvements.

Also: Senate Bill No. 128—An act to add a new section to be known as section 223 to an act entitled "An act to divide the State of California into fish and game district and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled, 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915, approved May 28, 1917, as amended, relating to boundary lines of fish and game districts.

Also: Senate Bill No. 192—An act to amend sections 1 and 2 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended.

Also: Senate Bill No. 315—An act to amend sections 1, 6, 7, 8 and 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended.

Also: Senate Bill No. 324—An act to amend an act entitled "An act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein, and the creation of ex officio boards of supervisors," approved March 20, 1909, as amended, by amend-



ing section 18b thereof, relating to inclusion of territory by municipalities and by adding thereto a new section to be numbered 18d, relating to the withdrawal of territory;

Also: Senate Bill No. 566—An act to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools;

Also: Senate Bill No. 326—An act to amend the Political Code by adding thereto a new section to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor;

Also: Senate Bill No. 365—An act to amend section 1306 of the Penal Code, relating to forfeiture of bail bonds;

Also: Senate Bill No. 366—An act to amend section 1305 of the Penal Code, relating to forfeiture of bail bonds;

Also: Senate Bill No. 382—An act to amend section 1078 of the Penal Code, relating to selection of jurors by trial judge;

Also: Senate Bill No. 383—An act to amend sections 1070, 1089 and 1098 of the Penal Code, relating to number of peremptory challenges in criminal cases;

Also: Senate Bill No. 412—An act to amend section 1278 of the Penal Code, relating to bail bonds and prescribing the form thereof;

Also: Senate Bill No. 413—An act to amend section 1287 of the Penal Code, relating to form of bail bonds and justification of sureties thereon after returning and filing of indictment by grand jury;

Also: Senate Bill No. 524—An act to amend section 636 of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 414—An act to amend section 190 of the Penal Code, relating to the punishment for murder;

Also: Senate Bill No. 430—An act to amend an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein";

Also: Senate Bill No. 645—An act to amend sections 1, 2, 3, 4, 8 and 9 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to the method of recordation of maps, providing additional conditions on which maps may be recorded, and providing civil and criminal liabilities for the violation thereof;

Also: Senate Bill No. 630—An act to amend sections 1618, 1551, 1817, 1764, 1858, 1532, 1761, 443, and 1760 of the Political Code, relating to education, and making an appropriation therefor;

Also: Senate Bill No. 462—An act to amend sections 5, 6 and 7 of an act entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish, by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared," approved March 17, 1911, as amended, relating to domestically raised fish;

Also: Senate Bill No. 468—An act to amend section 2322x24 of the Political Code, relating to the office of the horticultural commissioners in counties of the twenty-fourth class;

Also: Senate Bill No. 478—An act to amend section 1349 of the Code of Civil Procedure, relating to the appointment of executors;

Also: Senate Bill No. 507—An act to amend section 2322x8 of the Political Code, relating to salaries of county horticultural commissioners, deputies, clerks and inspectors in counties of the eighth class;

Also: Senate Bill No. 522—An act providing for the maintenance and operation in whole or in part of any street lighting system or systems within municipalities; providing for the letting of contracts therefor; providing for the formation of lighting maintenance districts in such municipalities to pay all or any part of the expenses of such maintenance and operation; providing for the levying of special assessment taxes on lands within such districts; and providing for municipalities paying any part of such expenses and making advances to the district fund;

Also: Senate Bill No. 523—An act to amend an act entitled "An act to provide for the organization of a Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division 1 of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended by adding two new sections thereto, to be numbered 24 and 50½, relating to certification of warehousemen;

Also: Senate Bill No. 635—An act to amend section 39 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts,' and to repeal an act entitled 'An act to divide the State of California into six fish and game

districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 19, 1915," approved May 28, 1917, as amended, relating to fish and game districts;

Also: Senate Bill No. 703—An act to amend section 453bb of the Civil Code, and to add a new section thereto, to be numbered 453ggg, relating to mortgage insurance;

Also: Senate Bill No. 713—An act to amend sections 10, 11 and 12 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to exemptions, refunds, appropriations for carrying out the provisions of said act, examination of records of distributors thereunder by the State Board of Equalization and correction of assessments of said distributors by said board;

Also: Senate Bill No. 774—An act to amend the title and section 2 of an act entitled "An act to provide for work in, under and upon highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks in unincorporated territory of counties and any of the same lying within municipalities, whenever necessary or proper to complete or connect with any work outside thereof, and any of the same forming the exterior boundaries of any municipality, where such municipality joins unincorporated territory of the county, whether partly or wholly within or without the boundaries of such municipality, and in, under and upon all publicly owned property and rights of way, whether within or without municipalities, and in, under and upon any property and rights of way of which the county has possession and right of use under the provisions of section 14 of article I of the constitution of the State of California, and for establishing and changing the grades of such highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and parks; to provide for the issuance, payment and enforcement of improvement bonds to represent certain assessments for the cost thereof and a method for the payment of such bonds; to provide for the formation, management and dissolution of improvements constructed hereunder and the assessing, levying and collecting of special assessment taxes to pay such expenses; and to provide for county aid in all of such work," approved June 3, 1921, as amended;

Also: Senate Bill No. 844—An act to add a new section to the Political Code relating to the numbered section 2643, relating to powers and duties of supervisors respecting roads;

Also: Senate Bill No. 833—An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act;

Also: Senate Bill No. 860—An act to amend section 24 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts' and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith, approved May 19, 1915," approved May 28, 1917, as amended;

Also: Senate Bill No. 870—An act to amend section 4284 of the Political Code, relating to the salaries of county officers of counties of the fifty-fifth class;

Also: Senate Bill No. 874—An act to amend section 4283 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-fourth class;

Also: Senate Bill No. 836—An act to authorize and empower the Department of Institutions to grant a right of way across and through certain lands at the Pacific Colony, to the city of Pomona for the Pomona-La Verne-Claremont outfall sewer for the purpose of a right of way for sewer pipes and specifying conditions under which they shall be laid and maintained;

Also: Senate Bill No. 428—An act to amend section 25 of the Civil Code, relating to age of majority;

Also: Senate Bill No. 441—An act to provide for the issuance and sale of State bonds to be known as "California State Park Bonds," to provide for and create a fund for the acquisition of lands and other properties in California for State park purposes; authorizing the expenditure of said funds for the purposes herein enumerated, creating a State Park Finance Board, creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of \$10,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known, and fixing the time at which this act shall be and become effective;

Also: Senate Bill No. 535—An act to amend section 638 of the Penal Code, relating to fish and game;

Also: Senate Bill No. 294—An act to amend section 718 of the Civil Code, relating to the lease of tidelands, submerged lands and lands adjacent thereto;

Also: Senate Bill No. 499—An act to authorize the repayment of money paid or collected by error or mistake or under an unconstitutional law; And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1927, at 11 o'clock a.m.

JONES, RAY, Chairman.

#### ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 317—An act to amend sections 1 and 2 of an act entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor"—has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 517—An act to be known as "San Jacinto Valley Conservation District Act", creating a consolidated, irrigation, conservation, protection, reclamation and power district subject to the approval of the owners of property within the district, to be known as "San Jacinto Valley Conservation District," for the purpose of acquiring or taking over all the water rights and water system and properties of the Lake Hemet Water Company, a corporation, and or of the stockholders or certificate holders thereof, of the Hemet Town Water Company, a corporation, and or of the stockholders thereof, of the Fruitvale Mutual Water Company, a corporation, and or of the stockholders thereof, of the Fairview Land and Water Company, a corporation, and or of the stockholders thereof, or of any of them, and of any other water rights and water system; for conserving water; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable lands of the San Jacinto Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, protecting all the lands within the district and the water system from flood waters of the San Jacinto River and its tributaries, and for protecting the watersheds from fire; and for developing and using electrical power and for selling any surplus power, and for maintaining, improving, expanding and operating and governing the entire irrigation, conservation, protection, reclamation and electrical power systems through a single district organization; and for the issuance of bonds for any or all of the aforesaid purposes, and providing for the payment of all such indebtedness; providing for the leasing or selling such portions or all of the water rights, water system and electrical power system or any other property as the board of trustees of the San Jacinto Valley Conservation District deems advisable; providing also for an election to determine whether this district shall be organized and for the organization, management and control of the district through the board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments, and providing also a means for dissolving said district—has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 1139—An act to prohibit the diversion of underground waters applied to a public use within a given area to the use of the inhabitants of another area where the same would prejudice the rights, welfare or prosperity of the consumers or owners of lands overlying the underground basin—has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Concurrent Resolution No. 34—Relative to the state of conflict of the county of Inyo and the county of Los Angeles over the possession of water in Owens Valley—has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, Chairman.



## ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 561—An act regarding the sale of grain in sacks, defining the term grade, providing that the sacks and the weight thereof be included as a part of the net weight of grain sold or purchased, providing for the payment for sacks as a part of the purchase price of grain sold or purchased, making it the duty of the Department of Agriculture of the State of California to enforce the provisions thereof and providing a penalty for a violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

Also:

BOGGS, Chairman.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 812—An act establishing and creating the Deciduous Fruit Experiment Station, providing for investigation, research and demonstration in regard to deciduous fruits and nuts, including olives and figs, making an appropriation to carry out the purposes of this act, and to repeal those two certain acts entitled, respectively, "An act appropriating money for investigation, research and demonstration by the Department of Agriculture of the University of California, in regard to deciduous fruits and nuts including olives and figs," approved May 27, 1919, and an act entitled "An act appropriating money for investigation, research, and demonstration by the Department of Agriculture of the University of California with regard to deciduous fruits and nuts, including olives and figs," approved June 3, 1924—has had the same under consideration, and respectfully reports the same back without recommendation.

Also:

BOGGS, Chairman.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 664—An act to amend section 32a of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission of evidence of copies of the State's standards of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, as amended, relating to products sold in sacks:

Also: Senate Bill No. 715—An act to amend section 5 of an act entitled "An act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended, and adding a new section thereto to be numbered 24, relating to the holding of State fairs and increasing the number of directors of the State Board of Agriculture;

Also: Senate Bill No. 745—An act to amend section 6 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, when sold or offered or exposed for sale in containers, and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, as amended, relating to the exemption of grains sold in sacks:

Has had the same under consideration, and respectfully reports the same back without recommendation.

BOGGS, Chairman.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 220—An act to amend section 4056b of the Political Code, relating to the creation of a fund for making exhibitions of products and the assistance of local fair associations:

Also: Senate Bill No. 495—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the First Agricultural District;

Also: Senate Bill No. 496—An act to appropriate money to be paid as premiums to exhibitors of live stock at district live stock shows to be held in the Sixth Agricultural District;



Also: Senate Bill No. 662—An act to amend section 7 of an act entitled "An act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this act," approved June 8, 1915, as amended, relating to products sold in sacks;

Also: Senate Bill No. 663—An act to amend section 3 of an act entitled "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, as amended, relating to products sold in sacks;  
Has had the same under consideration, and respectfully reports the same back without recommendation.

BOGGS, Chairman.

#### ON MANUFACTURES.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Manufactures to which was referred Assembly Bill No. 1036—An act to regulate the rebuilding of electric storage batteries;

Also: Assembly Bill No. 440—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund;

Also: Assembly Bill No. 735—An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund;

Also: Senate Bill No. 771—An act to prevent unfair discrimination against California manufacturers by making it unlawful for any municipality to levy license taxes or fees against such manufacturers that are not levied against nonresident manufacturers;

Has had the same under consideration, and respectfully reports the same back without recommendation.

Committee membership: 5; committee vote: Ayes 5.

TUBBS, Chairman.

#### ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 519—An act to add a new article to be numbered article VI, embracing sections 150 to 165 inclusive, to an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, relating to a depositors' guaranty fund and the liquidation of banks;

And Senate Bill No. 861—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by adding a new section, to be numbered section 9a, relating to the regulation of the business of banking.

Has had the same under consideration, and respectfully reports the same back without recommendation.

HANDY, Chairman.

#### ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 133—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 138—An act to amend sections 1, 3, 4 and 7 of an act entitled "An act to provide a relief fund in the several counties or any city and county of the State for the needy blind, providing for and prescribing the powers and duties of boards of supervisors in every county or city and county," approved May 2, 1919, as amended, relating to duties of boards of supervisors and prescribing what persons are entitled to the benefits of said act and to add a new section to said act to be numbered 10, relating to the cooperation of the State of California in relief funds;

Also: Senate Bill No. 191—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Senate Bill No. 227—An act to amend section 4300f of the Political Code, relating to jurors' fees;

Also: Senate Bill No. 231—An act to amend sections 1511b and 1514 of the Penal Code, relating to duty of jurors at coroners' inquests;

Also: Senate Bill No. 284—An act to amend section 4214 of the Political Code, relating to the duties of surveyors of counties;

Also: Senate Bill No. 285—An act to amend section 4126 of the Political Code, relating to the duties of tax collectors;

Also: Senate Bill No. 332—An act to amend section 4244 of the Political Code, relating to fees of officers in counties of the fifteenth class;

Also: Senate Bill No. 559—An act to add a new section to the Political Code, to be numbered 3672a, relating to the appraisal of taxable property for the purpose of equalizing assessments;

Also: Senate Bill No. 560—An act to amend section 3673 of the Political Code, relating to the powers and duties of boards of supervisors in equalizing assessments;

Also: Senate Bill No. 588—An act to provide for the establishment within counties of county park commissions and for the maintenance, powers and duties thereof;

Also: Senate Bill No. 591—An act to provide for the establishment, government and maintenance of regional or county planning commissions and prescribing their powers and duties;

Also: Senate Bill No. 602—An act to amend section 2322.15 of the Political Code, relating to the salaries of the horticultural commissioner and his deputies in the counties of the fifteenth class;

Also: Senate Bill No. 611—An act to amend section 4313 of the Political Code, relating to absence of county and township officers from the State;

Also: Senate Bill No. 683—An act to amend section 4011 of the Political Code, and to add fifteen new sections to said code, to be numbered 4041h, 4041i, 4041j, 4041k, 4041l, 4041m, 4041n, 4041o, 4041p, 4041q, 4041r, 4041s, 4041t, 4041u, 4041v, all relating to the general powers of boards of supervisors;

Also: Senate Bill No. 736—An act to amend section 14 of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended;

Also: Senate Bill No. 737—An act to amend section 6 of an act entitled "An act to create a flood control district, to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended;

Also: Senate Bill No. 738—An act to amend an act entitled "An act to create a flood control district, to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, by adding a new section to be numbered section 151;

Also: Senate Bill No. 762—An act to amend an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, and an act amendatory thereof, approved June 4, 1913, amending section 1 of said act so as to make said act applicable to all jails and to all prisoners in prison for misdemeanors whether in county jails or in city prisons, by amending said act so as to provide that in cities of the first and one-half class where a municipal court shall have been established, the board of parole commissioners for such municipal court shall consist of three judges of the superior court and specifying grounds for parole;

Also: Senate Bill No. 784—An act to amend section 4190 of the Political Code, relating to the powers of the Board of Law Library Trustees;

Also: Senate Bill No. 837—An act to amend section 1203 of the Penal Code, relating to probation officers;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CHRISTIAN, Chairman.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Senate Bill No. 743—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to

be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended—has had the same under consideration, and respectfully reports the same back without recommendation.

INGRAM, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 749—An act revising and amending section 14 of an act entitled "An act to promote drainage," providing for the collection by the county treasurer of assessments, for the paying in cash or warrants of such districts, for the calling of assessments, for the service of notice thereof, for the payment of interest thereon, for the publishing of notice of sale and the sale of the property for delinquent assessments, for the disposition of the proceeds of such sale, for the issuance of certificates and a period of redemption and for the issuance of a deed, and for subsequent sales thereof;

Also: Senate Bill No. 838—An act to amend an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 33a, relating to an exchange of warrants issued by Sacramento and San Joaquin Drainage District for warrants of reclamation districts, and by inserting in place thereof, the following words and figures: Authorizing a reclamation district that may have sold or transferred any of its levees or property to Sacramento and San Joaquin Drainage District, Sutter-Butte By-pass Project No. 6, or any other unit or project, and received warrants issued by said Sacramento and San Joaquin Drainage District or Sutter-Butte By-pass Project No. 6, or any other project thereof, in exchange or payment therefor, or may have received or may receive compensation for any property included in any plan now or that may hereafter be adopted for controlling the flood waters of Sacramento and San Joaquin rivers, or their tributaries, to exchange said warrants for outstanding warrants issued by such reclamation district and also providing that in any new, additional or supplemental assessment of such reclamation district, there shall be determined the amount that should be assessed upon tracts of land the benefits accrued from the expenditures represented by the warrants of the reclamation district exchanged or paid for by warrants of Sacramento and San Joaquin Drainage District, and also the amount that should have been apportioned of warrants of Sacramento and San Joaquin Drainage District, and providing that if the amount that would have been assessed against each tract of land is greater than the amount to which such tract or owner thereof would have been entitled on distribution of warrants, such excess shall be assessed to each tract of land and if the amount be less, the difference shall be paid to the owner of such tract by such reclamation district;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RUSH, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 145—An act to amend the Political Code of the State of California by adding thereto a new section designated as 1656a, providing for the release of pupils from the public schools for the purpose of attending schools of religious instruction;

Also: Senate Bill No. 146—An act to amend the Political Code of the State of California by amending subdivision fifth, section 1858 thereof, relating to the computation of time for a full day's attendance of pupils in elementary schools;

Also: Senate Bill No. 147—An act to amend the Political Code of the State of California by amending section 1672 thereof, relating to sectarian books and teachings in the public schools;

Also: Senate Bill No. 167—An act to amend section 1687 of the Political Code, relating to salaries of teachers in elementary schools;

Also: Senate Bill No. 182—An act to add a new section to the Political Code, to be numbered 1697b, relating to liability on the part of school districts, and to provide for insurance against such liability;



Also: Senate Bill No. 617—An act amending section 1761 of the Political Code, relating to the apportionment of high school taxes and funds;

Also: Senate Bill No. 618—An act to amend section 1732 of the Political Code, relating to the duties of the Superintendent of Public Instruction;

Also: Senate Bill No. 684—An act to repeal section 1687 of the Political Code, relating to public school teachers;

Also: Senate Bill No. 159—An act to amend section 1543a of the Political Code, relative to school warrants;

Also: Senate Bill 451—An act to add a new section to the Political Code, to be numbered 1542, and to amend section 1543 of the Political Code, relating to the duties of the county superintendent of schools;

Also: Senate Bill No. 301—An act to amend sections 11 and 12 of an act entitled "An act to provide for the organization of junior college districts and for the maintenance of junior colleges therein;"

Also: Senate Bill No. 306—An act to amend section 14 of an act entitled "An act to provide for the payment of retirement salaries to public school teachers of this State, creating a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, as amended;

Also: Senate Bill No. 140—An act to amend section 1618 of the Political Code, providing for the establishment and maintenance of separate classes in the elementary grades of the public schools for blind or partially blind children, and for the conservation of sight of children with defective or diminished vision;

Also: Senate Bill No. 446—An act to amend section 1618a, of the Political Code, relating to health supervision of schools;

Also: Senate Bill No. 502—An act to add a new section to the Political Code, to be numbered 1723b, relating to high school districts;

Also: Senate Bill No. 529—An act to add a new section to the Political Code to be numbered 1610j, relating to special leaves of absence and exchanges of teachers, principals, and other persons in public school service holding positions requiring the certification of their qualifications in certain cases, and defining the powers of boards of school trustees and city, or city and county boards of education or high school boards of education in such cases;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SLATER, Chairman.

#### ON PUBLIC HEALTH AND QUARANTINE.

#### SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 854—An act to amend section 9 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," as amended;

Also: Assembly Bill No. 406—An act to amend section 65 of the "State Housing Act," approved June 15, 1923, as amended, relating to use of rooms in buildings subject to the provisions of the act;

Also: Senate Bill No. 836—An act to amend sections 2, 3, 4 and 15 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to registered pharmacists and licentiates in pharmacy;

Also: Senate Bill No. 444—An act to amend section 3062 of the Political Code, relating to city health officials;

Also: Senate Bill No. 445—An act to amend section 4225a of the Political Code, relating to county health authorities;

Also: Senate Bill No. 253—An act to regulate the sanitation and maintenance of auto camps, to provide for the licensing, inspection and supervision of the same, and to provide penalties for the violation of the provisions hereof;

Also: Senate Bill No. 62—An act to amend sections 2333, 2336, 2337, 2338, 2344 and 2345 of the Political Code, relating to the State Department of Public Welfare;

Also: Senate Bill No. 711—An act to provide for the formation, powers, duties, government and maintenance of health and sanitary districts in the State; to provide for the acquisition, maintenance, improvement and disposal of property by such districts, to provide for the acquisition, construction, maintenance and disposal of certain public improvements therein; to provide for the alteration of boundaries and dissolution of such districts and for the reorganization of existing sanitary districts in the State under the provisions of this act;

Also: Senate Bill No. 677—An act to amend section 2978 of the Political Code, relating to the Board of Health;

Also: Senate Bill No. 678—An act to amend section 2978 of the Political Code, relating to the Board of Health;



Also: Senate Bill No. 773—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers, and prescribing a penalty for the violation of this act," approved June 16, 1913, as amended, relating to the practice of optometry;

Also: Senate Bill No. 826—An act to amend section 1 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of ad births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for the violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith;

Also: Senate Bill No. 311—An act to amend section 24 of the State Medical Practice Act relating to penalties, fines or forfeitures of bail for violations of any provisions of the State Medical Practice Act, approved June 2, 1913, as amended.

Also: Senate Bill No. 546—An act to amend the "State Housing Act," approved June 15, 1923;

Also: Senate Bill No. 491—An act to provide for the examination and licensing of plumbers, the construction, alteration and maintenance of the plumbing and drainage of buildings, in all parts of the State of California, including incorporated cities, counties, and cities and counties, and to provide the penalties for violation thereof; Has had the same under consideration, and respectfully reports the same back without recommendation.

**CROWLEY, Chairman.**

#### ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 589—An act to provide additional land and buildings for the use of the University of California, at Berkeley, California, and making appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation.

**WEST, Chairman.**

#### ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1162—An act to amend section 2572 of the Political Code, relating to salaries of the commissioners of the Board of Harbor Commissioners of the port of Eureka—has had the same under consideration, and respectfully reports the same back without recommendation.

**GRAY, Vice Chairman.**

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 36—An act providing for the construction of a permanent approach to the bridge across the Sacramento River at Rio Vista in Solano and Sacramento counties, and making an appropriation therefor;

Also: Senate Bill No. 50—An act to amend section 2527 of the Political Code, relating to the powers of the State Board of Harbor Commissioners;

Also: Senate Bill No. 51—An act concerning the water front of the city and county of San Francisco;

Has had the same under consideration, and respectfully reports the same back without recommendation.

**HURLEY, Vice Chairman.**

#### ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 32—An act to amend sections 5 and 13 of an act entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, relating to records to be kept by distributors and to the disposition of license taxes—has had the same under consideration, and respectfully reports the same back without recommendation.

**CANEPA, Chairman.**

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 26, 1927.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 8—Relative to memorializing and petitioning the President of the United States and Congress to establish by proper legislation a Bureau or Department of Publicity;

Also: Senate Bill No. 658—An act approving and ratifying the Colorado River Compact, and relating to the provisions thereof;

Also: Assembly Joint Resolution No. 5—Relative to memorializing Congress to adopt bill introduced by Hon. John E. Raker for the establishment of a Pacific Coast national highway system;

Also: Assembly Joint Resolution No. 14—Relating to the development of the Colorado River and the protection of the Imperial Valley from flood;

Also: Assembly Concurrent Resolution No. 21—Relative to inviting the President of the United States to spend his vacation in California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

YOUNG, Chairman.

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 339—An act to amend the Civil Code of the State of California by adding a new section to be numbered 637a, relating to offenses committed by officers, directors, agents, or employees of building and loan associations and prescribing penalties for the violations of the provisions of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it be tabled.

JOHNSON, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 11—An act to prohibit the employment of aliens by contractors and subcontractors on public work being done under the authority of the State, or any officer or department thereof, or under the authority of any county, city and county, city, or town, or any officer or department thereof, except in cases of extraordinary emergency, caused by fire, flood, or danger to life or property, or except to work upon public military or naval defenses or works in time of war, and except when it can be shown to the satisfaction of the proper constituted authorities that at the time of employment citizens of this State and of the United States were not available for employment, providing that where citizens are unavailable for employment and aliens are employed and citizens later become available, they shall be given the positions held by the noncitizens, and providing penalties for the violation of any of the provisions hereof.

Also: Senate Bill No. 42—An act to amend section 11 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing applications for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the matters to be stated in contracts and receipts issued by such employment agencies, providing for standard and uniform forms of contracts and receipts to be prepared by the Commissioner of Labor and providing that an employer must so state on the reverse side of an employment contract or receipt if the applicant was not employed or if he was discharged in less than seven days, as the case may be;

Also: Senate Bill No. 174—An act to add a new section to be numbered 2a to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, relating to the definition of employment agencies;

Also: Senate Bill No. 157—An act to amend section 1 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses

in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, defining certain terms used in said act:

Also: Senate Bill No. 156—An act to amend section 12 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to acceptance of fees from applicants;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MURPHY, Chairman.

#### ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 646—An act providing for the taking over by the State of California of a certain road in the county of Lake and declaring the same to be a State highway, and for the maintenance and improvement of the same as a State highway, and authorizing the board of supervisors of Lake County to convey said road to the State of California;

Also: Senate Bill No. 660—An act to amend sections 2754, 2755 and 2768 of the Political Code, relating to permanent road divisions;

Also: Senate Bill No. 744—An act to create a new section to the Political Code, to be numbered section 2643, relating to the powers of supervisors respecting roads;

Also: Senate Bill No. 127—An act declaring the public highway extending from the city of El Centro to the city of Calexico, in Imperial County, to be a State highway;

Also: Senate Bill No. 150—An act declaring the present highway from Malin, on the Oregon state line, and leading therefrom via Lookout and Bieber to Susanville, California, to be a State highway;

Also: Senate Bill No. 74—An act declaring a certain public highway, extending from Los Angeles through Pomona and Ontario to San Diego, to be a State highway and providing for the construction of the same;

Also: Senate Bill No. 91—An act to extend the Mother Lode Highway from Sonora, Tuolumne County, to Mariposa, Mariposa County;

Also: Senate Bill No. 108—An act authorizing and directing the California Highway Commission to reconstruct and repave the uncompleted section of the existing State highway which extends from the town of Rio Vista, Solano County, to the town of Fairfield, Solano County, and making an appropriation therefor;

Also: Senate Bill No. 498—An act to amend section 1 of an act entitled "An act declaring the public highway extending from Auburn, in Placer County, to the Sonora lateral at Sonora, in Tuolumne County, to be a State highway," approved June 3, 1921;

Also: Senate Bill No. 346—An act to amend section 2713 of the Political Code, relating to the construction and repair of bridges;

Also: Senate Bill No. 26—An act to provide for the survey and construction of a State highway from Governor's Camp in the California Redwood Park, to the coast road at a point -----, and making an appropriation therefor;

Also: Senate Bill No. 516—An act declaring a certain public road extending from Rhye, California, to the Colorado River, to be a State highway and providing for the construction of the same;

Also: Senate Bill No. 196—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County;

Also: Senate Bill No. 31—An act to appropriate \$5,000 to be used by the California Highway Commission for the purpose of making a survey for a road from the city of Hollister to Soledad;

Also: Assembly Bill No. 1069—An act to reserve from sale certain State lands being the northeast quarter of the southwest quarter of section 32, township 8 north, range 4 west, and the west 54.24 acres of lot 2 of northwest quarter of section 5, township 5 north, range 12 east, San Bernardino base and meridian, in San Bernardino County, and providing for the use thereof;

Also: Senate Bill No. 222—An act declaring a certain public highway extending from Clements in San Joaquin County to Ione in Amador County to be a State highway and providing for the construction of the same;

Also: Senate Bill No. 30—An act to provide that a certain highway in Santa Cruz County shall become a State highway on approval of such highway by the California Highway Commission;

Also: Assembly Bill No. 99—An act to amend section 7 of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes and



alleys, not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof and the doing of work adjacent thereto which is incidental to the work thereof; for the issue of bonds representing the costs and expenses of said work; for the payment of said bonds by special assessment taxes raised in assessment districts established for the purpose; and for county aid in such work," approved May 23, 1921, relating to objections to work;

Also: Assembly Bill No. 1059—An act to appropriate moneys for the acquisition and construction of that certain part of the State highway system between Big Sur, in the county of Monterey, State of California, and the southerly boundary of said county of Monterey, as provided by section 2 of article XVI of the constitution of the State of California (being a part of that highway described in said section as Carmel to San Simeon), and authorizing the use of convict labor for such construction;

Also: Senate Bill No. 707—An act to appropriate moneys for the acquisition and construction of that certain part of the State highway system, between Big Sur, in the county of Monterey, State of California, and the southerly boundary of said county of Monterey, as provided by section 2 of article XVI of the constitution of the State of California (being a part of that highway described in said section as Carmel to San Simeon), and authorizing the use of convict labor for such construction;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SHARKEY, Chairman.

ON MOTOR VEHICLES

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 611—An act to add a new section to "An act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of an owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus, or discount or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done therein; to provide for records to be kept by persons operating public garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines, and forfeitures collected hereunder; to provide for the organization powers and duties and for the maintenance of the division of motor vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act," approved May 30, 1923, as amended, to be numbered and designated as section 7a and relating to the classification of movable machinery and other equipment;

Also: Senate Bill No. 656—An act to amend section 36 of the "California Vehicle Act," approved May 30, 1923, as amended;

Also: Senate Bill No. 657—An act to amend section 36 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to registration of motor vehicles;

Also: Senate Bill No. 667—An act providing for the placing of automatic windshield wipers on all automobiles operated within the State and providing a penalty for the violation of the provisions hereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

KLINE, Chairman.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 718—An act to amend an act entitled "The California Vehicle Act," approved May 30, 1923, as amended, relating to the organization of the Division of Motor Vehicles, the registration of vehicles, the regulation of traffic and to provide penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

KLINE, Chairman.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 736—An act to add a new section to the Penal Code, to be numbered 597h, relating to carrying animals on automobiles—has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken,

KLINE, Chairman.



Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 109—An act to amend section 58 of the California Vehicle Act, relative to operators' license fees;

Also: Senate Bill No. 114—An act to add a new section being number 46a to the "California Vehicle Act," relating to operators' licenses;

Also: Senate Bill No. 18—An act to amend section 135 of the "California Vehicle Act," relating to stopping at railway crossings;

Also: Senate Bill No. 199—An act to amend section 42 of the "California Vehicle Act," approved May 24, 1925, relating to identification of automobiles;

Also: Senate Bill No. 431—An act to provide inspection of motor vehicles and to regulate the same and to provide for the monthly inspection of steering gears, running gears and brakes, and electrical apparatus of all motor vehicles employed in intrastate traffic, and to provide a penalty for violating such regulations as shall be imposed by the Railroad Commission;

Also: Senate Bill No. 613—An act to amend section 36 of the California Vehicle Act, approved May 30, 1923, as amended, relating to registrations;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

KLINE, Chairman.

#### ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 28, 1927

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 112—An act requiring railways and railroad companies to reimburse employees for property losses sustained by moving terminals or division points;

Also: Senate Bill No. 113—An act to promote the safety of employees and travelers upon railroads by regulating the number of cars in trains;

Also: Senate Bill No. 122—An act to require that certain employees of railroads be provided with watches;

Also: Senate Bill No. 129—An act to provide proper sanitary conditions at railroad terminals for the preservation of the health of employees;

Also: Senate Bill No. 209—An act to add a new section to be known as section 77a to the "Public Utilities Act," approved April 23, 1915;

Also: Senate Bill No. 211—An act to amend section 32 of the "Public Utilities Act," approved April 23, 1915;

Also: Senate Bill No. 213—An act to promote the safety of employees and travelers upon railroads by regulating the number of cars in trains;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 272—An act to prohibit the railroads in the State of California from collecting the surcharge or surtax on Pullman sleeper and chair car fares within the State;

Also: Senate Bill No. 295—An act to prohibit any person or common carrier by railroad moving any fixed signal, switch or switch light for the purpose of what is commonly known as test of employees, to define fixed signals, and providing penalties for the violation of the provisions hereof;

Also: Senate Bill No. 328—An act to amend section 43 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons, and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to crossings of roads, highways and railroads by railroads or street railroads at grade, the separation of grades at such crossings, and the apportionment of the cost of the construction, reconstruction, alteration or relocation of such crossings and separations of grade and relating to proceedings in eminent domain before the Railroad Commission of the State of California in connection with the separation of grades at any such crossing or in connection with the construction, alteration or relocation of elevated tracks or subways for any railroad or street railroad over or under any public road, street, highway, or private right of way, or of any public road, street, or highway over or under the tracks of any railroad corporation or street railroad corporation;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 525—An act to amend sections 2 and 54 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties, and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended:

Also: Senate Bill 654—An act to amend section 135 of an act entitled "An act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles, trailers and semitrailers and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of or injury to a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide for records to be kept by persons operating public garages and for notices to be given by owners of private garages; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for the organization, powers and duties and for the maintenance of the Division of Motor Vehicles; to provide for carrying out the objects of this act, and to make appropriation therefor; to provide for the time this act shall go into effect, and to repeal all acts or parts of acts in conflict with this act," approved May 30, 1923, as amended, relating to vehicles stopping at railroad crossings;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

WAGY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 732—An act to amend section 47 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties, and the rights, remedies and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees, and by other persons or corporations, creating the 'Railroad Commission Fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915:

Also: Senate Bill No. 854—An act to add two new sections to be numbered 24 and 504 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended, relating to public utilities;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

WAGY, Chairman.

#### ON CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Criminal Law and Procedure, to which was referred Senate Bill No. 373—An act to amend section 1203 of the Penal Code, relating to the granting of probation after conviction in criminal cases and permitting the pleading of said conviction where the defendant is prosecuted for a subsequent offense;

Also: Senate Bill No. 374—An act to amend section 1191 of the Penal Code, relating to time for pronouncing judgment in criminal cases;

Also: Senate Bill No. 406—An act to amend section 669 of the Penal Code, relating to the punishment of persons convicted of two or more offenses;

Also: Senate Bill No. 419—An act to amend section ----- of the Penal Code, relating to;

Also: Senate Bill No. 420—An act to amend section ----- of the Penal Code, relating to;

Also: Senate Bill No. 421—An act to amend section ----- of the Penal Code, relating to;

Also: Senate Bill No. 422—An act to amend section ----- of the Penal Code, relating to;

Also: Senate Bill No. 423—An act to amend section ----- of the Penal Code, relating to;

Also: Senate Bill No. 424—An act to amend section ----- of the Penal Code, relating to;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

BAKER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Criminal Law and Procedure, to which was referred Senate Bill No. 425—An act to amend section ----- of the Penal Code, relating to;

Also: Senate Bill No. 504—An act to amend section 476a of the Penal Code, relating to the drawing and uttering of checks or drafts;

Also: Senate Bill No. 555—An act to amend sections 67 and 68 of the Penal Code, relating to the asking or receiving of bribes;

Also: Senate Bill No. 661—An act to amend section 669 of the Penal Code, relating to sentence for crime;

Also: Senate Bill No. 674—An act to amend section 1305 of the Penal Code, relating to the forfeiture of the undertaking of bail and the discharge of the forfeiture;

Also: Senate Bill No. 675—An act to amend section 1306 of the Penal Code, relative to the enforcement of a forfeiture by action;

Also: Senate Bill No. 676—An act to amend section 1307 of the Penal Code, relating to the disposition of deposits of money when forfeited;

Also: Senate Bill No. 753—An act to add a new section to the Penal Code, to be numbered 476b, relating to the drawing and uttering of checks or drafts on any bank or other depository wherein the person so giving such check or draft shall not have sufficient funds or credit for the payment of the same, and providing penalties therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

BAKER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Criminal Law and Procedure, to which was referred Senate Bill No. 4—An act to amend section 190 of the Penal Code, relating to the punishment of persons found guilty of murder;

Also: Senate Bill No. 27—An act to amend section 617 of the Penal Code, defining and punishing the crime of vagrancy;

Also: Senate Bill No. 75—An act to amend section 190 of the Penal Code, relating to punishment for the crime of murder and to repeal section 246 of the Penal Code, relating to punishment of persons undergoing life sentence;

Also: Senate Bill No. 149—An act to amend section 190 of the Penal Code, relating to murder in the second degree;

Also: Senate Bill No. 235—An act to add a new section to the Penal Code to be numbered 95a, relating to offenses against justice;

Also: Senate Bill No. 363—An act to enforce the attendance of witnesses in felony cases in another state or territory of the United States, and providing penalty for failure to comply with Governor's subpoena issued for attendance of such witness;

Also: Senate Bill No. 367—An act to amend section ---- of the Penal Code, relating to;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

BAKER, Chairman.

#### ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 181—An act to amend section 112 of the Political Code, relating to appointees of the Secretary of State and making an appropriation to pay the salaries of said appointees, not otherwise provided for during the seventy-ninth and eightieth fiscal years;



Also: Senate Bill No. 632—An act to add nine new sections to the Political Code, to be numbered 2331a, 2331b, 2331c, 2331d, 2331e, 2331f, 2331g, 2331h and 2347, relating to the powers and duties of the State Department of Public Welfare concerning the registration, examination, care and treatment of physically defective or handicapped children and making an appropriation therefor;

Also: Senate Bill No. 627—An act to amend sections 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of an act entitled "An act to create a State Bureau of Criminal Identification, providing for the appointment of a director of said bureau, defining his duties, qualifications and powers, providing for the appointment of a clerk of said bureau, and fixing his qualifications, fixing the compensation of said director and clerk, and providing for the manner of paying the same, and providing for the expense of conducting the office," approved May 31, 1917, as amended, relating to records and identification of criminals;

Also: Senate Bill No. 801—An act to amend section 8 of the "Public Utilities Act," approved April 23, 1915, as amended, relating to the location of the principal office of the Railroad Commission;

Also: Senate Bill No. 164—An act to amend the Code of Civil Procedure by adding a new section thereto to be numbered 145, relating to the expenses of judges of the superior court;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership—13; committee vote: Ayes—9.

SWING, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 785—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article XVIII, embracing sections 654 to 686a, both inclusive, relating to a Department of Finance;

Also: Senate Bill No. 787—An act to add a new section to the Political Code, to be numbered 360h, relating to the Department of Finance;

Also: Senate Bill No. 795—An act to add a new article to chapter III of title I of part III of the Political Code, to be numbered article IIj, embracing sections 373 to 373b, relating to a Department of Natural Resources;

Also: Senate Bill No. 796—An act to amend the act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examination and surveys, and creating a Reclamation Board, and defining its powers," approved December 24, 1911, as amended, by adding a new section thereto to be numbered 6a, transferring to and vesting in the Department of Public Works certain of the powers, duties, functions, responsibilities and jurisdiction heretofore vested in and exercised by the State Regulation Board;

Also: Senate Bill No. 780—An act to amend the act known as "The California Vehicle Act," approved May 30, 1923, as amended, by adding a new section thereto to be numbered 29a, transferring to and vesting in the Department of Public Works certain duties, powers, purposes, responsibilities and jurisdiction in respect to the enforcement of certain provisions of the act heretofore vested in the Division of Motor Vehicles of the Department of Finance;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership—13; committee vote: Ayes—9.

SWING, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 792—An act to amend sections 1517, 1518, 1519, 1519a, 1520, and 1521 of the Political Code, relating to State educational offices;

Also: Senate Bill No. 791—An act to amend sections 363, 363a, 363b, 363c, 363d, 363e, 363f and 363g of the Political Code, relating to the Department of Public Works;

Also: Senate Bill No. 790—An act to add new sections to the Political Code to be numbered 692 to 692p, both inclusive, relating to a compensation insurance fund;

Also: Senate Bill No. 206—An act to amend section 736 of the Political Code, relating to the salaries of Supreme Court justices;

Also: Senate Bill No. 270—An act to provide for disability compensation under certain conditions to persons who have been employed by the State for not less than thirty years;



Also: Senate Bill No. 139—An act to add a new article to chapter III, title I, part III, of the Political Code, to be numbered 2*h*, embracing sections 367 to 372, inclusive, relating to the Division for the Blind within the State Department of Institutions, and to repeal sections 2207, 2207*a*, 2207*b*, 2207*c*, 2207*d*, 2207*e*, 2207*f*, 2207*g*, 2207*h*, 2207*i*, 2207*j*, and 2207*k*, of the Political Code, relating to the Industrial Home for the Adult Blind;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership—13; committee vote: Ayes—9.

SWING, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 350—An act to amend section 739 of the Political Code, relating to salaries of officers of the Supreme Court;

Also: Senate Bill No. 179—An act to add a new section to be numbered 19*h* to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to statistics;

Also: Senate Bill No. 872—An act to create a Bureau of Narcotics under the direction of the State Board of Health, to define its powers and duties, to create a State narcotic fund, and a revolving fund, to regulate the sale, disposition and use of narcotic drugs, preparations and their derivations in the State of California; to provide penalties for the violation of this act; and to repeal certain sections of an act entitled "An act to regulate the sale and use of poisons in the State of California and provide a penalty for the violation thereof," approved March 6, 1907, and acts amendatory thereof; and all other acts and parts of acts in conflict with the provisions hereof;

Also: Senate Bill No. 756—An act to create a Department of Publicity, providing a board of managers and defining the duties of said managers and appropriating money to carry out the purposes of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership—13; committee vote: Ayes—9.

SWING, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 769—An act to create and establish a commission for revising, systematizing and reforming the laws of the State with reference to the opening, widening, improving, vacating, lighting and changing the grade of public streets, lanes and alleys within the incorporated cities and towns of the State where the cost thereof is assessed against the property benefited thereby, and for the appointment of members of said commission, to be known as "The Commissioners for the Revision and Reform of the Street Improvement Law," and to prescribe their powers and duties; and to authorize the appointment of a secretary and stenographer therefor and to provide for the compensation and expenses of said commissioners, secretary and stenographer, and to appropriate money therefor;

Also: Senate Bill No. 798—An act to amend section 7 of an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance, and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in

conflict herewith," approved June 16, 1913, relating to the location of the offices, library, museum and laboratory of the State Mining Bureau:  
Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership—13; committee vote: Ayes—9; absent—4.

Also:

SWING, Chairman.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 628—An act establishing a State Department of Mineral Resources, creating the office of Director of said department; providing rules and regulations therefor, and prescribing penalties for violation of the provisions thereof; providing for the furnishing of information in certain cases by said Director to the Commissioner of Corporations and the Surveyor General; providing for the transfer to the said department and Director of all the authorities, rights, duties and obligations of the State Mining Bureau, including the Department of Petroleum and Gas; creating a State mineral resources fund for the purpose of carrying out the provisions of this act; and repealing an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership—13; committee vote: Ayes—9.

SWING, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 626—An act establishing a State Department of Mineral Resources, creating the office of director of said department; providing rules and regulations therefor, and prescribing penalties for violation of the provisions thereof; providing for the furnishing of information in certain cases by said director to the Commissioner of Corporations and the Surveyor General; providing for the transfer to the said department and director of all the authorities, rights, duties and obligations of the State Mining Bureau, including the Department of Petroleum and Gas; creating a State mineral resources fund for the purpose of carrying out the provisions of this act; and repealing an act entitled "An act to establish a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; to provide for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution of defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof or supplemental thereto or in conflict therewith," approved June 16, 1913;

Also: Senate Bill No. 789—An act to amend section 7 of the Workmen's Compensation, Insurance and Safety Act of 1913, as amended:

Also: Senate Bill No. 783—An act to add a new section to the Political Code, to be numbered 359b, relating to the Governor's Council:  
Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership—13; committee vote: Ayes—9.

SWING, Chairman.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 161—An act creating a Commission on Uniform State Laws and prescribing the power and duties thereof—has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Committee membership: 13; committee vote: Ayes—9.

SWING, Chairman.

#### ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 25, 1927.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article XVI thereof a new section, to be numbered section 24, relating to State highway bonds:

Also, Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 23(a), of article IV, relating to the expenses of the Legislature:

Also, Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to section 22 of article XII of the constitution of the State of California, relative to election of the Railroad Commission.

Also, State Constitutional Amendment No. 7—Relative to salaries of justices of the Supreme Court, of the district courts of appeal and of the judges of the superior courts. A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 17 of article VI thereof, relating to the salaries of justices of the Supreme Court, of the district courts of appeal and of the judges of the superior courts.

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to section 31 of article IV of the constitution of the State of California, relating to the giving or lending of public credit.

Has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed) 1927

ALLEN N. M., Chairman.

CHRISTIAN.

INGRAM.

JOHNS, H. C.

MCKINLEY.

MURPHY.

SHARKEY.

SWING.

WELLER.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article XIV thereof a new section to be numbered 3, declaring the interest of said State in the water resources thereof, and declaring the right to the use and flow of water in any natural stream, watercourse, lake or pond in said State by that priority, riparian owners or others.

Also, Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to section 13 of article I of the constitution of the State of California, relating to criminal prosecutions and the rights of accused persons.

Also, Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California that a new section to be numbered 22 be added to article XX of the constitution of said State, relating to a series.

Also, Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section 7 of article IV of the constitution of California.

Also, Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article IV thereof a new section to be numbered 37, relative to water conservation.

Also, Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article VI thereof a new section to be numbered 64, providing for the appointment of persons to act as judges of superior courts, and judges of the district courts of appeal and of the Supreme Court and fixing their compensation, terms of office and qualifications.



Has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

ALLEN, N. M., Chairman.  
WELLER.  
SWING.  
JONES, H. C.  
CHRISTIAN.  
SHARKEY.  
INGRAM.  
MURPHY.  
MCKINLEY.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending sections 1, 2, 3 and 4 of article VI of the constitution, relating to the judicial department;

Also: Assembly Constitutional Amendment No. 22—A resolution proposing to the people of the State of California an amendment to section 23a of article IV of the constitution of the State of California, relating to compensation of members of the Legislature, and of officers, employees and attaches;

Also: Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article IV thereof to be numbered 25½, relating to boxing, sparring and wrestling matches or exhibitions;

Also: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section 2 of article IV of the constitution of California, relative to sessions of the Legislature;

Has had the same under consideration, and respectfully reports the same back without recommendation.

(Signed out)

ALLEN, N. M., Chairman.  
WELLER.  
SWING.  
JONES, H. C.  
CHRISTIAN.  
SHARKEY.  
INGRAM.  
MURPHY.  
MCKINLEY.

#### ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 636. An act to amend sections 36, 46, 50, 51, 72, 153 and 157 of and to add five new sections to be numbered 16a, 28a, 28b, 28c and 28d to the "California Vehicle Act," approved May 30, 1923, requiring owners of motor vehicles, trailers and semitrailers, other than the United States of America, the State of California, and any political subdivision thereof, to furnish security for the civil liability of such owners and of all persons expressly or impliedly permitted by them to operate, maintain, control or use a motor vehicle, trailer or semitrailer upon the highways, for personal injuries and property damage caused by such motor vehicles, trailers and semitrailers;

Also: Senate Bill No. 668. An act to amend section 597 of the Political Code, relating to the examiners and examinations of insurance companies;

Also: Senate Bill No. 669. An act to add a new section to the Political Code, to be numbered 633e, prohibiting sale of premium notes prior to delivery of policy thereof;

Also: Senate Bill No. 817—An act relating to actions against a person carrying insurance against loss or damage resulting from injury to another person when the insured person is bankrupt or insolvent or without property sufficient to satisfy execution on account of loss or damage insured against, relating further to the levy of execution directly against the insurance company and requiring the policy to be exhibited in certain cases;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

HOLLISTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 54—An act to amend section 596b of the Political Code, relating to the right of the Insurance Commissioner to suspend certificate of authority of any company engaged in the insurance business in this State;



Also: Senate Bill No. 55—An act to amend section 605 of the Political Code by adding subdivision 16 so as to provide for the charging of a fee for the services rendered by the insurance commissions in determining the value of future or contingent estates, or any interest therein, as provided for in subdivision 6 of section 8 of the "Inheritance Tax Act" of 1921, approved June 3, 1921;

Also: Senate Bill No. 520—An act to amend section 47 of an act entitled "An act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this act; and repealing all acts and parts of acts inconsistent with the provisions of this act," approved May 26, 1913, as amended, relating to the sale of insurance in the State Compensation Insurance Fund;

Also: Senate Bill No. 531—An act to amend section 1 of "An act relating to actions against an insurance carrier when the insured person is insolvent or bankrupt, or without property sufficient to satisfy execution on account of loss or damage insured against, and requiring policy to be exhibited in certain cases," approved May 21, 1919, and to add a new paragraph to section 1 thereof for the purpose of better defining the term "insured" as used in said section; Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

HOLLISTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 14—An act to amend section 591 of the Political Code, relating to the maintenance of the office of the Insurance Commissioner;

Also: Senate Bill No. 15—An act relating to actions against an insurance carrier when the insured person is insolvent or bankrupt, or without property sufficient to satisfy execution on account of loss or damage insured against, and requiring policy to be exhibited in certain cases;

Also: Senate Bill No. 16—An act to amend section 609 of the Political Code, relating to the promotion of insurance companies and the sale of securities;

Also: Senate Bill No. 17—An act to add a new section to the Penal Code, to be numbered 550, relating to the publication of deceptive statements by insurance companies;

Also: Senate Bill No. 18—An act relating to the liquidation of insurance companies;

Also: Senate Bill No. 53—An act to amend section 630 of the Political Code, forbidding persons, corporations and others from transacting insurance business in this State unless licensed by the Insurance Commissioner;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

HOLLISTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Concurrent Resolution No. 16—Relative to the creation of a joint committee of the Senate and Assembly for the purpose of making a thorough study into the traffic situation on the highways of California, with particular reference as to the advisability of the adoption of a law requiring financial responsibility on the part of those owning or operating motor vehicles using the highways and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

HOLLISTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1012—An act to amend section 11 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the time within which to file claims with the Industrial Accident Commission in certain cases;

Also: Assembly Bill No. 1101—An act to amend section 3 of an act entitled "An act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, as amended, relating to election of officers of such companies;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Also:

HOLLISTER, Chairman.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1051—An act to amend section 3 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to definition of the term "injury" as used in such Workmen's Compensation Act;

Also: Assembly Bill No. 1047—An act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to proceedings before the Industrial Accident Commission in certain death benefit cases;

Also: Assembly Bill No. 1048—An act to amend section 20 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to the time within which to file claims with the Industrial Accident Commission in certain cases;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

HOLLISTER, Chairman.

#### ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 549—An act relating to and providing for the construction of a dam and incidental works on the Santa Ana River system for the prevention of floods and the spreading and conserving of the flood waters thereof, and making an appropriation therefor;

Also: Senate Bill No. 550—An act to amend section 629 of the Penal Code, relating to persons over mill-races, irrigating ditches, pipes, flumes, tunnels and canals; Has had the same under consideration, and respectfully reports the same back without recommendation.

Also:

GARRISON, Chairman.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 859—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 864—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest on such bonds; Has had the same under consideration, and respectfully reports the same back without recommendation.

Also:

GARRISON, Chairman.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Concurrent Resolution No. 21—Providing for the appointment of a joint committee to investigate the water problems of the State and to recommend to the forty-eighth session of the Legislature, a verified State policy or plan for the complete development of the water resources of the State—has had the same under consideration, and respectfully reports the same back without recommendation.

GARRISON, Chairman.

#### ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 28, 1927.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 734—An act to repeal section 924 of the Political Code—has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

Also:

BREED, Vice Chairman.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 704—An act to be known as the "Estate Tax Act," to establish a tax on legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the

enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DCCCXXI of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, as amended, effective August 13, 1923, and July 24, 1925, known as the "Inheritance Tax Act," and to repeal all acts and parts of acts in conflict with this act;

Also: Senate Bill No. 752—An act to repeal an act entitled "An act to establish a tax on collateral inheritances, bequests and devises, to provide for its collection, and to direct the disposition of the proceeds," approved March 23, 1893, as amended;

Also: Senate Bill No. 772—An act to amend section 2 of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal chapter DLXXXIX of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," and to add a new section thereto to be numbered section 24;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

BREED, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 879—An act to amend sections 3627, 3627a, 3628, 3650 of the Political Code, all relating to revenue and taxation:

Also: Senate Bill No. 880—An act to amend section 3664d of the Political Code, relating to assessment and taxation of franchises;

Also: Senate Bill No. 881—An act to add new sections to the Civil Code to be numbered 405, 406, 408 and 409, relating to foreign corporations;

Also: Senate Bill No. 882—An act to repeal sections 1, 2, 3, 4, 5, 6, 9, 15, 16, 18 and 19 of an act entitled "An act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for noncompliance," approved May 10, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that no action be taken.

NELSON, Chairman.

#### ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 557—An act to amend section 7 of an act entitled "An act to provide for work upon public roads, streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property not within the territory of incorporated cities or towns; for work upon streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property inside of incorporated cities, whenever necessary or proper to complete or connect with any work outside thereof; for work upon streets, avenues, boulevards, lanes, alleys, courts, places, easements, rights of way and other public property forming the exterior boundaries of any municipality where such municipality joins unincorporated territory of a county, whether partly or wholly within or without the boundary of such municipality; for the incidental establishment, change or separation of grades thereof, and the doing of work adjacent thereto which is incidental to the work thereon; for the issue of bonds representing the costs and expenses of such work; for the payment of such bonds by special assessment taxes raised in assessment districts established for the purpose; for the inclusion of the territory of any incorporated city or cities within such assessment district; and for county aid in such work," approved March 21, 1907, relating to objections to work under the act:

Also: Senate Bill 652—An act to amend sections 15 and 19 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to bonds;

Also: Senate Bill No. 680—An act to provide for the formation, management and dissolution of park, recreation and parkway districts, and annexations thereto,



setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof; Has had the same under consideration, and respectfully reports the same back without recommendation.

Also:

LYON, Chairman.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 710—An act to amend sections 1, 4, 5, 9, and 13 of an act entitled "An act to authorize municipal corporations with the consent of the original dedicators to abandon parks and sell and convey the land embraced therein, and reinvest the proceeds from the sale thereof in the purchase of other public grounds," approved May 27, 1915.

Also: Senate Bill No. 723—An act to create a highway district to be called Los Angeles Metropolitan Highway District, to provide for the acquisition, construction and maintenance of highways and of all necessary or desirable incidents thereto; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds and the levying and collecting of taxes by said district; to provide for the governing and control of said district and to define the duties and powers of the officers thereof.

Also: Senate Bill No. 848—An act to provide for the governing body of any city to determine when an entire city is benefited by proposed work or improvement; to make boundary lines of improvement districts coextensive with boundary lines of such city and to make the cost and expenses of such work and improvement chargeable upon such entire district.

Has had the same under consideration, and respectfully reports the same back without recommendation.

Also:

LYON, Chairman.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 79—An act to amend section 852a of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to elections for and adoption of the commission form of government, and relating to the compensation of officers of municipalities.

Also: Senate Bill No. 237—An act providing for the placing in assessment books and on tax bills of all counties, cities and counties, of a statement of all public taxes, assessments and bond delinquencies not otherwise required by law to be placed on or included in assessment books of counties, cities, or cities and counties; Has had the same under consideration, and respectfully reports the same back without recommendation.

Also:

LYON, Chairman.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 506—An act to amend "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds" by amending sections 3, 6, 8, 10 and 10½ thereof;

Also: Senate Bill No. 526—An act to promote the public safety by providing safeguards to audiences at theatricals and similar performances by imposing a license tax on itinerant shows, carnivals, and concessions, regulating the matter of maintaining or conducting same and providing a penalty for a violation thereof;

Also: Senate Bill No. 537—An act to amend section 6 of an act entitled "An act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, as amended;

Also: Senate Bill No. 625—An act to amend sections 1, 4, 8 and 9 of that certain act entitled "An act to regulate the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded, and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended; Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.



Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 279—An act to amend the Political Code by adding a new section thereto, to be numbered section 4056*d*, relating to the construction, repair and maintenance by counties, of sewerage systems and sewage disposal plants;

Also: Senate Bill No. 282—An act to provide for duties of tax collectors of municipal corporations;

Also: Senate Bill No. 283—An act to provide for duties of engineers of municipal corporations;

Also: Senate Bill No. 313—An act to amend section 1608 of the Political Code, relating to the powers of boards of school trustees and city boards of education;

Also: Senate Bill No. 329—An act to amend an act entitled "An act to provide for the work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," (approved April 7, 1911), by adding a new section thereto to be numbered 10½, relating to alternative plans and specifications and procedure to be followed in relation thereto;

Also: Senate Bill No. 330—An act to amend section 10 of an act entitled "Improvement Act of 1911";

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 38—An act to amend section 831*f* of the Code of Civil Procedure, relative to recovery of costs in municipal courts;

Also: Senate Bill No. 47—An act authorizing the State Board of Control to grant to or consent to the condemnation by the city of Oakland of a right of way for a public street and highway over and across the lands of the Industrial Home for the Adult Blind;

Also: Senate Bill No. 67—An act to amend section 12 of an act entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of waterworks, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,'" approved March 21, 1905, as amended, relating to applications for execution of deeds to property sold for delinquent street lighting assessments;

Also: Senate Bill No. 207—An act to amend section 736*a* of the Political Code, relating to the salaries of the justices of the district courts of appeal;

Also: Senate Bill 214—An act limiting the hours on duty of employees and members of paid fire departments of any county, city and county, city, town, district, or other political subdivision of the State; fixing the length of weekly leaves of absence and yearly vacation without loss of pay, and repealing all acts or parts of acts in conflict with this act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 414—An act to amend section 653*a* of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to the publication of ordinances, legal notices or other proceedings;

Also: Assembly Bill No. 925—An act to amend section 103½ of the Code of Civil Procedure, relating to the appointment, duties and compensation of clerks of city justice's courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

## ON FINANCE.

## SENATE CHAMBER, SACRAMENTO, April 29, 1927.

**MR. PRESIDENT:** Your Committee on Finance, to which was referred Senate Bill No. 13—An act appropriating money to complete the construction of the trail in the Sierra Nevada Mountains known as the "John Muir trail" and laterals therefrom;

Also: Senate Bill No. 40—An act to amend section 739 of the Political Code, relating to salaries of officers of the Supreme Court;

Also: Senate Bill No. 92—An act to amend section 3700 of the Political Code, relating to salaries of the members and secretary of the State Board of Equalization, and to repeal section 3700a of the Political Code, relating to the salary of the secretary of said board;

Also: Senate Bill No. 104—An act to appropriate money to protect the banks of Mad River from erosion by means of brush and rock work along the banks thereof;

Also: Senate Bill No. 153—An act making an appropriation of \$39,200.25 to pay the claim of Antoinette O'Brien against the State of California, and prescribing the duties of the Controller and the Treasurer of the State in relation thereto;

Has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Also:

**MR. PRESIDENT:** Your Committee on Finance, to which was referred Senate Bill No. 251—An act to amend section 2982 of the Political Code, relating to the secretary and to the assistant secretary of the State Board of Health;

Also: Senate Bill No. 274—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922;

Also: Senate Bill No. 359—An act to establish institutions for the confinement, treatment and rehabilitation of narcotic addicts; to provide for the government and maintenance thereof; to provide for commitment and admission to such institutions; to provide penalties for violations of any of the provisions of this act; to provide a fund for the establishment and maintenance of such institutions, and to make an appropriation therefor;

Also: Senate Bill No. 426—An act to amend section 2526a of the Political Code, relating to the powers of the Board of State Harbor Commissioners;

Also: Senate Bill No. 512—An act to create a board to be known as the "State Fire Prevention Survey," providing for the appointment of said board by the Governor, prescribing the powers and duties of the members of said board, fixing their compensation, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Also:

**MR. PRESIDENT:** Your Committee on Finance, to which was referred Senate Bill No. 552—An act to make an appropriation to pay the claim of Vina Rais against the State of California;

Also: Senate Bill No. 572—An act to amend section 10 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended;

Also: Senate Bill No. 574—An act to amend an act entitled "An act to provide for the acceptance of the provisions and benefits of an act passed by the Senate and the House of Representatives of the United States of America, in Congress assembled, to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to empower and direct the board designated as the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in carrying out the provisions of said federal act; to prescribe its powers and duties in carrying out the provisions of this act; to provide for a plan of cooperation between the State Board for Vocational Education and the Industrial Accident Commission; to provide for the appointment of a custodian of all moneys received by the State from appropriations made by the Congress of the United States and from other sources for the purpose of promoting vocational rehabilitation; to create a vocational rehabilitation fund and making an appropriation therefor," approved

June 3, 1921, as amended, by adding a new section thereto to be numbered 8, and making an additional appropriation therefor; Has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 600—An act to provide for the destruction by the State Fish and Game Commission of certain fish in Clear Lake, in the county of Lake, State of California; for the disposal thereof; to pay a bonus therefor, and appropriating moneys in order to carry on the provisions of this act;

Also: Senate Bill No. 640—An act providing for the protection and assistance of aged persons under certain conditions in the State of California, and providing the method therefor, and making appropriation therefor and prescribing penalties for the violations of the provisions thereof;

Also: Senate Bill No. 681—An act to amend section 2302 of the Political Code, relating to the salary of State Librarian;

Also: Senate Bill No. 746—An act making an appropriation to pay the claim of W. A. Sloane against the State of California;

Also: Senate Bill No. 775—An act to establish a Nautical School at the port of Los Angeles, to provide for the conduct and maintenance thereof, to make an appropriation therefor, and to authorize the Governor to request and to receive aid from the United States in compliance with the provisions of an act of Congress, approved March 4, 1911;

Also: Senate Bill No. 811—An act establishing a Bureau of Public Health Nursing, defining the powers and duties thereof and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 816—An act making an appropriation for the construction and equipment of buildings for the junior high school and intermediate grades at the San Jose State Teachers College;

Also: Senate Bill No. 829—An act appropriating money to be used under certain specified conditions by federal authorities in deepening Suisun Bay Channel from Martinez to Antioch, California;

Also: Senate Bill No. 850—An act appropriating money for the support of the State Board of Health for the employment of public health nurses for the control of communicable diseases among the Indians of the State;

Also: Senate Concurrent Resolution No. 18—Selecting and designating two illustrious deceased persons whose statues in marble or bronze shall hereafter be provided and furnished by the State of California to be placed in National Statuary Hall;

Also: Assembly Bill No. 830—An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-seventh and seventy-eighth fiscal years;

Also: Assembly Concurrent Resolution No. 35—Relative to the installation of ventilating systems in the Assembly and Senate chambers;

Has had the same under consideration, and respectfully reports the same back without recommendation.

INMAN, Chairman.

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At eleven o'clock a.m., Lieutenant Governor Buron R. Fitts, President of the Senate, in the chair.

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SENATE CHAMBER, SACRAMENTO, April 27, 1927.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 629—An act to amend sections 1044, 1083a, 1083b, 1094, 1095a, 1096, 1096a, 1037, 1103, 1105, 1106, 1113, 1115, 1120, 1121, 1125, 1142, 1151, 1174, 1192, 1195b, 1204, 1205, 1210, 1229, 1261, 1262, 1264, 1265 of the Political Code, relating to registration of electors and conduct of elections;

Also: Senate Bill No. 827—An act to amend section 6 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States



through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, as amended, relating to presidential primary election;

Also: Assembly Bill No. 115—An act to amend sections 1044, 1083a, 1083b, 1094, 1095a, 1096, 1096a, 1097, 1103, 1105, 1106, 1113, 1115, 1120, 1121, 1125, 1142, 1151, 1174, 1192, 1195b, 1204, 1205, 1210, 1229, 1261, 1262, 1264, 1265 of the Political Code, relating to registration of electors and conduct of elections;  
Has had the same under consideration, and respectfully reports the same back without recommendation.

FELLOM, Chairman.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 119—An act to amend section 1195 of the Political Code, relating to elections and propositions to be voted thereon;

Also: Senate Bill No. 197—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purposes of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election;

Also: Senate Bill No. 511—An act to amend sections 1 and 10, and to add two new sections to be numbered sections 3a and 3b, to the Direct Primary Law, approved June 16, 1913, as amended, relating to presidential electors;

Also: Senate Bill No. 565—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election;

Also: Senate Bill No. 776—An act to regulate the method of voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FELLOM, Chairman.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 22—An act to amend section 3 of an act entitled "An act to provide for and regulate municipal elections in cities of the fifth and sixth class," approved May 27, 1919, as amended, relating to election precincts;

Also: Senate Bill No. 39—An act to amend sections 1, 3, 4, 5, 10, 12, 13, 23, 24, and 33 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to the date of holding primary elections;

Also: Senate Bill No. 94—An act to amend section 5 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to nomination of candidates;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FELLOM, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 29, 1927.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 7—An act to amend section 1260 of the Civil Code, relating to homestead exemptions;

Also: Senate Bill No. 10—An act to provide for daylight saving; providing that the hours for the transaction of business by courts, public officers and legal and



official proceedings shall be governed hereby and making the same an urgency measure:

Also: Senate Bill No. 57—An act to amend section 1409 of the Civil Code, relating to succession to the property of deceased persons;

Also: Senate Bill No. 59—An act to amend section 1485 of the Code of Civil Procedure, relating to the settlement of estates of deceased persons;

Also: Senate Bill No. 64—An act to amend section 1801 of the Code of Civil Procedure, providing for the nomination and removal of guardians and for the removal and resignation or nomination of guardians;

Also: Senate Bill No. 80—An act to amend section 19 of an act entitled "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to evidence;

Also: Senate Bill No. 121—An act to prevent or prohibit the obtaining of money by fraudulent activities in the exercise of pretended psychic and metapsychic abilities or gifts usually termed "the occult"; and to prevent misconception and misunderstanding on the part of the public of the facts and principles and vital significance of psychic and metapsychic phenomena; and providing for the more efficient functions and activities of bona fide religious organizations, psychical research associations, scientific commissions or organizations and educational activities in psychic and metapsychic fields; and providing penalties for the violation of same;

Also: Senate Bill No. 159—An act to amend section 324 of the Civil Code; to repeal sections 326 and 328 of said code; to add a new article III of chapter II of title I of part IV of division I of said code consisting of sections 350 to 350r, both inclusive, all relating to the transfer of stock in corporations, and to make the law relating to the transfer of shares of stock in corporations uniform with the laws of other states;

Also: Senate Bill No. 160—An act to amend section 542 of the Code of Civil Procedure, relating to attachments of real and personal property;

Also: Senate Bill No. 163—An act to amend section 1191 of the Code of Civil Procedure, relating to liens upon land for public improvements;

Also: Senate Bill No. 180—An act to amend section 1578 of the Code of Civil Procedure, relating to the manner of obtaining authority to mortgage or execute a deed of trust of the property of estate of decedents or of persons under guardianship;

Also: Senate Bill No. 195—An act to amend section 422 of the Code of Civil Procedure, repealing sections 430, 431, 434, 443, 444, of said code, and adding a new section thereto to be known as section 435, relating to pleadings in civil actions and proceedings;

Also: Senate Bill No. 201—An act to provide for the regulation and use of aircraft in the State of California; to create a Director of Civil Aeronautics, to define his powers and duties and to provide for the creation and organization of an Aircraft Department under his jurisdiction, to carry into effect the provisions of this act; and to provide penalties for the violation of the provisions of this act, and to repeal an act entitled "An act concerning the registration, numbering, and use of aircraft, and the licensing of operators thereof," approved June 3, 1921;

Also: Senate Bill No. 216—An act to amend section 3817 of the Political Code, relating to the redemption of property sold to the State for nonpayment of taxes;

Also: Senate Bill No. 243—An act to amend section 3065 of the Civil Code and to add sections 3065a, 3065b, 3065c, 3065d, 3065e, 3065f, 3065g, 3065h, 3065i, 3065j, 3065k, 3065l, 3065m, 3065n, 3065o, 3065p, 3065q, and 3065r to said code, all relating to liens of laborers on sawlogs, spars, piles, cordwood, shingle boats, lumber and other timber;

Also: Senate Bill No. 268—An act to amend section 3051a of the Civil Code, providing for the limitation on amount recoverable where written notice not given;

Also: Senate Bill No. 286—An act to amend section 2168 of the Political Code, relating to insane persons;

Also: Senate Bill No. 289—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts;

Also: Senate Bill No. 305—An act to amend section 22 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the payment of the salaries of the judges and other attaches of municipal courts and to the providing of quarters, furniture, books and supplies for such courts;

Also: Senate Bill No. 353—An act to amend section 539 of the Code of Civil Procedure, relative to undertaking an attachment;

Also: Senate Bill No. 354—An act to add a new section, to be numbered 1716, to the Civil Code, relating to liability for damages caused by live stock;

Also: Senate Bill No. 471—An act to amend section 1723 of the Code of Civil Procedure, relating to the manner of giving notice of the hearing of petitions for administration of estates of deceased persons;

Also: Senate Bill No. 477—An act to amend section 542 of the Code of Civil Procedure of the State of California, relating to how real and personal property shall be attached;

Also: Senate Bill No. 479.—An act to amend section 1379 of the Code of Civil Procedure, relating to whom letters of administration may be granted;

Also: Senate Bill No. 480.—An act to amend section 1383 of the Code of Civil Procedure, relating to revocation of letters of administration;

Also: Senate Bill No. 481.—An act to amend section 1369 of the Code of Civil Procedure, relating to whom letters of administration may be granted;

Also: Senate Bill No. 482.—An act to amend section 1365 of the Code of Civil Procedure, relating to order of administration;

Also: Senate Bill No. 497.—An act to amend section 1643 of the Code of Civil Procedure, relating to liens of judgments;

Also: Senate Bill No. 501.—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts;

Also: Senate Bill No. 505.—An act to amend section 322 of the Civil Code, relating to the liability of stockholders;

Also: Senate Bill No. 511.—An act to revise an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919;

Also: Senate Bill No. 532.—An act to define collection agents and agencies, providing for the bonding of same and prescribing the manner in which same shall be operated, and providing a penalty for the violations thereof;

Also: Senate Bill No. 541.—An act to amend sections 1, 2 and 3 of the "Usury Law" approved November 5, 1918, relating to legal rates of interest and providing for the submission of this act to a vote of the people;

Also: Senate Bill No. 548.—An act to amend section 167 of the Civil Code, relating to community property;

Also: Senate Bill No. 584.—An act to amend the Civil Code by adding a new section thereto, to be known as section 172*aa* thereof, relating to the rights of action of the wife to avoid the voidable gift, sale, conveyance, lease, encumbrance, or other voidable disposition of the community property by the husband;

Also: Senate Bill No. 587.—An act to amend the Civil Code by adding a new section thereto, to be known as section 1401*a* thereof, relating to the rights of the surviving spouse in community property;

Also: Senate Bill No. 593.—An act to add a new section to the Code of Civil Procedure, to be numbered section 1635*a*, and relating to accounts of executors, administrators and guardians;

Also: Senate Bill No. 599.—An act to repeal an act entitled "An act giving a lien to loggers and laborers, employed in logging camps, upon the logs cut and hauled by the persons who employ them," approved March 30, 1878, as amended;

Also: Senate Bill No. 603.—An act to amend section 19*r*15 of an act entitled "An act to be known as the Juvenile Court Law," approved June 5, 1915, as amended, relating to the salary of probation officer in counties of the fifteenth class;

Also: Senate Bill No. 622.—An act to add a new section to be numbered 269*c* to the Penal Code, relating to the publication of the names of certain persons in connection with certain crimes;

Also: Senate Bill No. 623.—An act to add a new section to be numbered 273*bc*, to the Penal Code, relating to the publication of names of persons under sixteen years of age charged with crime;

Also: Senate Bill No. 643.—An act to amend section 8 of an act entitled "An act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended, relating to offering lots for sale;

Also: Senate Bill No. 644.—An act to amend section 3658*a* of the Political Code, relating to assessment by reference to a map;

Also: Senate Bill No. 650.—An act to amend section 2872 of the Political Code, relating to toll bridges;

Also: Senate Bill No. 672.—An act to amend sections 164, 167, 172 and 172*a* of the Civil Code, relating to community property;

Also: Senate Bill No. 673.—An act to amend sections 1812, 1813, 1815, 1819 and 1820 of the Code of Civil Procedure and to repeal sections 1814, 1816 and 1818 of the Code of Civil Procedure, relating to sole traders;

Also: Senate Bill No. 693.—An act to amend section 817 of the Penal Code, relating to who are peace officers;

Also: Senate Bill No. 697.—An act to amend sections 1490, 1494, 1495 and 1496 of the Code of Civil Procedure, relating to notice to creditors in decedent's estates;

Also: Senate Bill No. 698.—An act to amend sections 1598 and 1599 of the Code of Civil Procedure, relating to conveyances of decedent's property by executors or administrators;

Also: Senate Bill No. 699.—An act to amend section 1577 of the Code of Civil Procedure, relating to the mortgage, lease or sale of real property by executors, administrators and guardians;

Also: Senate Bill No. 702—An act to amend section 984 of the Code of Civil Procedure and to add a new section thereto, to be numbered 986, relating to appeals from municipal courts;

Also: Senate Bill No. 728—An act to amend section 160 of the Code of Civil Procedure, relating to the holding of superior courts by judges of other counties;

Also: Senate Bill No. 729—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to proceedings in eminent domain;

Also: Senate Bill No. 730—An act to amend section 1243 of the Code of Civil Procedure, relating to the jurisdiction of the superior court;

Also: Senate Bill No. 750—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven;

Also: Senate Bill No. 754—An act to define the word "hotel" and to impose penalties for the unlawful use of the word "hotel" in connection with a business sign;

Also: Senate Bill No. 755—An act to be known as the "True Name Bill," which makes it unlawful for any person or persons to register at any hotel, inn, boarding house, lodging house or apartment house under any name other than their own name;

Also: Senate Bill No. 757—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers;

Also: Senate Bill No. 758—An act licensing the business of building contractors; defining the term building contractor; presenting the method of obtaining licenses to engage in such business; fixing the bond of such building contractors and authorizing suits against such bond by persons or corporations furnishing labor or material to such building contractor;

Also: Senate Bill No. 759—An act to amend section 204 of the Code of Civil Procedure, relating to the selection of jurors in counties of the first class;

Also: Senate Bill No. 760—An act to amend section 206 of the Code of Civil Procedure, relating to the selection of jurors in counties of the first class;

Also: Senate Bill No. 770—An act to declare and regulate the powers, rights and duties of corporations organized to build dams, booms, drive and catch logs and timber products therein for compensation; and for the placing of such corporations under the control and jurisdiction of the Railroad Commission of the State of California; granting right of eminent domain; and to repeal all laws and portions of laws in conflict with this act;

Also: Senate Bill No. 777—An act concerning aeronautics and to make uniform the law with reference thereto;

Also: Senate Bill No. 782—An act to amend section 1 of an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893, relating to permission to work more than six days in seven;

Also: Senate Bill No. 818—An act to amend an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, as amended;

Also: Senate Bill No. 862—An act relating to the liability in damages of public officers, regulating and declaring the liability in damages of counties, municipalities, school and other districts of a public character, and repealing an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911, approved May 18, 1919," and also repealing an act entitled "An act limiting the liability of supervisors, city trustees, city councils, board of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of action in certain instances," approved June 13, 1923, and all other acts and parts of acts in conflict herewith;

Also: Senate Bill No. 878—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts;

Also: Senate Concurrent Resolution No. 13—Authorizing and directing the Attorney General of the State of California to furnish to the Legislature of the State an itemized statement of the moneys expended in the Aimee Semple McPherson case, and to suggest procedure for minimizing the expenditure of such money in the prose-



cution of criminal cases, limiting the amount to be used without authorization by the board of supervisors of the county in which such prosecution is to take place;  
Has had the same under consideration, and respectfully reports the same back without recommendation.

JONES, H. C., Chairman.

Also :

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 87—An act to amend section 617 of the Civil Code, relating to funds of cemetery corporations for perpetual care of lots;

Also: Assembly Bill No. 122—An act to amend section 415 of the Civil Code, relating to purchase and conveyance of real estate;

Also: Assembly Bill No. 156—An act to cure defects in maps or plats filed for record prior to January 1, 1927, and in deeds or conveyances referring to such maps;

Also: Assembly Bill No. 373—An act to amend section 430 of the Code of Civil Procedure, relating to demurrers;

Also: Assembly Bill No. 374—An act to amend section 427 of the Code of Civil Procedure, relating to the joinder of causes of action;

Also: Assembly Bill No. 379—An act to add a new section to the Code of Civil Procedure to be numbered 391, relating to the joinder of parties to actions;

Also: Assembly Bill No. 381—An act to amend section 632 of the Code of Civil Procedure and to repeal sections 633 and 634 of the Code of Civil Procedure, relating to findings of fact and conclusions of law and the entry of judgment;

Also: Assembly Bill No. 420—An act to regulate the employment of moving picture operators and to provide a penalty for violation thereof.

Also: Assembly Bill No. 423—An act to amend section 868 of the Code of Civil Procedure, relating to writs of attachment;

Also: Assembly Bill No. 424—An act to amend section 540 of the Code of Civil Procedure, relating to the issuance of writs of attachment;

Also: Assembly Bill No. 590—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities;

Also: Assembly Bill No. 597—An act to amend section 537 of the Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses;

Also: Assembly Bill No. 606—An act to amend section 4 of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to vital statistics and the duties of local registrars in connection therewith;

Also: Assembly Bill No. 685—An act to amend section 10 of the Political Code, relating to holidays;

Also: Assembly Bill No. 695—An act to amend section 1463 of the Penal Code, relating to the disposition of all moneys collected therein;

Also: Assembly Bill No. 700—An act to amend an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, by adding a new section thereto to be numbered 31, providing for municipal court auditor and for municipal courts in cities or cities and counties of the first and one-half class;

Also: Assembly Bill No. 772—An act to amend section 9 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to procedure before the Industrial Accident Commission following death of compensation claimants;

Also: Assembly Bill No. 1002—An act to add a new section to the Code of Civil Procedure, to be numbered 1236, relating to the dissolution of a corporation upon complaint of the owners of more than one-third of the subscribed capital stock of the corporation;

Also: Assembly Bill No. 1015—An act to amend section 8 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, as amended, relating to independent contractors and working members of partnerships as employees;

Also: Assembly Bill No. 1043—An act to add to the Code of Civil Procedure six new sections to be numbered 741a to 741f, inclusive, relating to the rights of persons who have in good faith made permanent improvements or paid taxes or assessments upon real property;



Also: Assembly Bill No. 1090—An act to amend section 1243 of the Civil Code of the State of California, relating to the abandonment of homesteads;

Also: Assembly Bill No. 1110—An act defining miscellaneous maps, plats or plans and providing for the recording thereof;

Also: Assembly Bill No. 1290—An act to add a new section to the Political Code to be numbered 4041a, relating to county jails;

Has had the same under consideration, and respectfully reports the same back without recommendation.

JONES, H. C., Chairman.

#### RESOLUTIONS.

The following resolutions were offered:

By Senator Crowley:

*Resolved*, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn sine die, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Crowley adopted.

By Senator Breed:

*Resolved*, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn sine die, and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Breed adopted.

#### APPOINTMENT OF COMMITTEES.

The President announced the appointment of the following committees:

To wait on the Assembly, in accordance with the provisions of the resolution offered by Senator Crowley: Senators Crowley, Chamberlin and Jones, Ray.

To wait on the Governor, in accordance with the provisions of the resolution offered by Senator Breed: Senators Breed, Allen, J. M., and Murphy.

#### REPORTS OF SPECIAL COMMITTEES.

By consent of the Senate, the following reports of special committees were received, out of the regular order:

Senators Crowley, Chamberlin and Jones, Ray, the special committee appointed to notify the Assembly that the Senate was ready to adjourn, reported that they had notified the Assembly, in accordance with their instructions, and that the Assembly would shortly convey a message to the Senate through their committee.

Also:

Senators Breed, Allen, J. M., and Murphy, the special committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn sine die, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

#### MESSAGE FROM THE ASSEMBLY.

At eleven o'clock and forty-five minutes a.m., a committee from the Assembly, consisting of Messrs. Williamson, Davis and Murphy, appeared at the bar of the Senate and announced that the Assembly had no further communications to submit to the Senate, and was now prepared to adjourn sine die.

## MESSAGE TO THE ASSEMBLY.

Upon receipt of the foregoing message from the Assembly, the President announced that the Senate had no further communication to transmit to the Assembly, and requested the committee from the Assembly to convey to the Assembly the information that the Senate was now prepared to adjourn sine die.

## APPROVAL OF JOURNALS.

On motion of Senator Breed, the Senate Journals for Monday, April 11; Tuesday, April 12; Wednesday, April 13; Thursday, April 14; Friday, April 15; Monday, April 18; Tuesday, April 19; Wednesday, April 20; Thursday, April 21; Friday, April 22; Monday, April 25; Tuesday, April 26; Wednesday, April 27; Thursday, April 28, were approved as corrected.

## APPROVAL OF MINUTES.

Upon motion of Senator Breed, the minutes of this day, Friday, April 29, were read and approved as read.

## FINAL ADJOURNMENT.

Whereupon, at twelve o'clock noon, in accordance with the provisions of Assembly Concurrent Resolution No. 31, the President declared the forty-seventh session of the Senate of the State of California adjourned sine die.

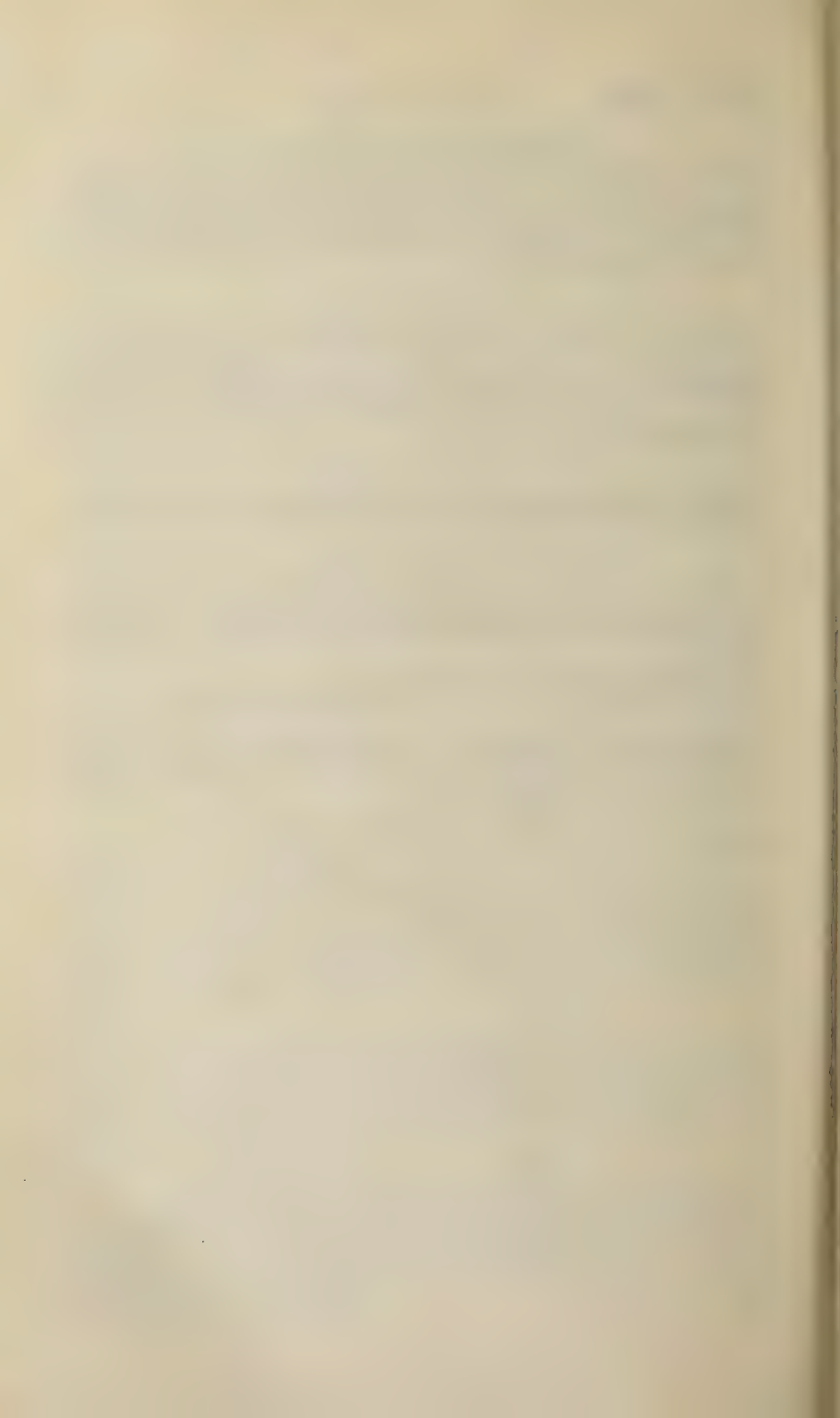
JOSEPH A. BEEK,  
Secretary of the Senate.

HAROLD J. POWERS,  
Minute Clerk of the Senate.

WELLINGTON BOWSER,  
Journal Clerk of the Senate.

BURON R. FITTS,  
President of the Senate.

A. H. BREED,  
President pro tempore of the Senate.

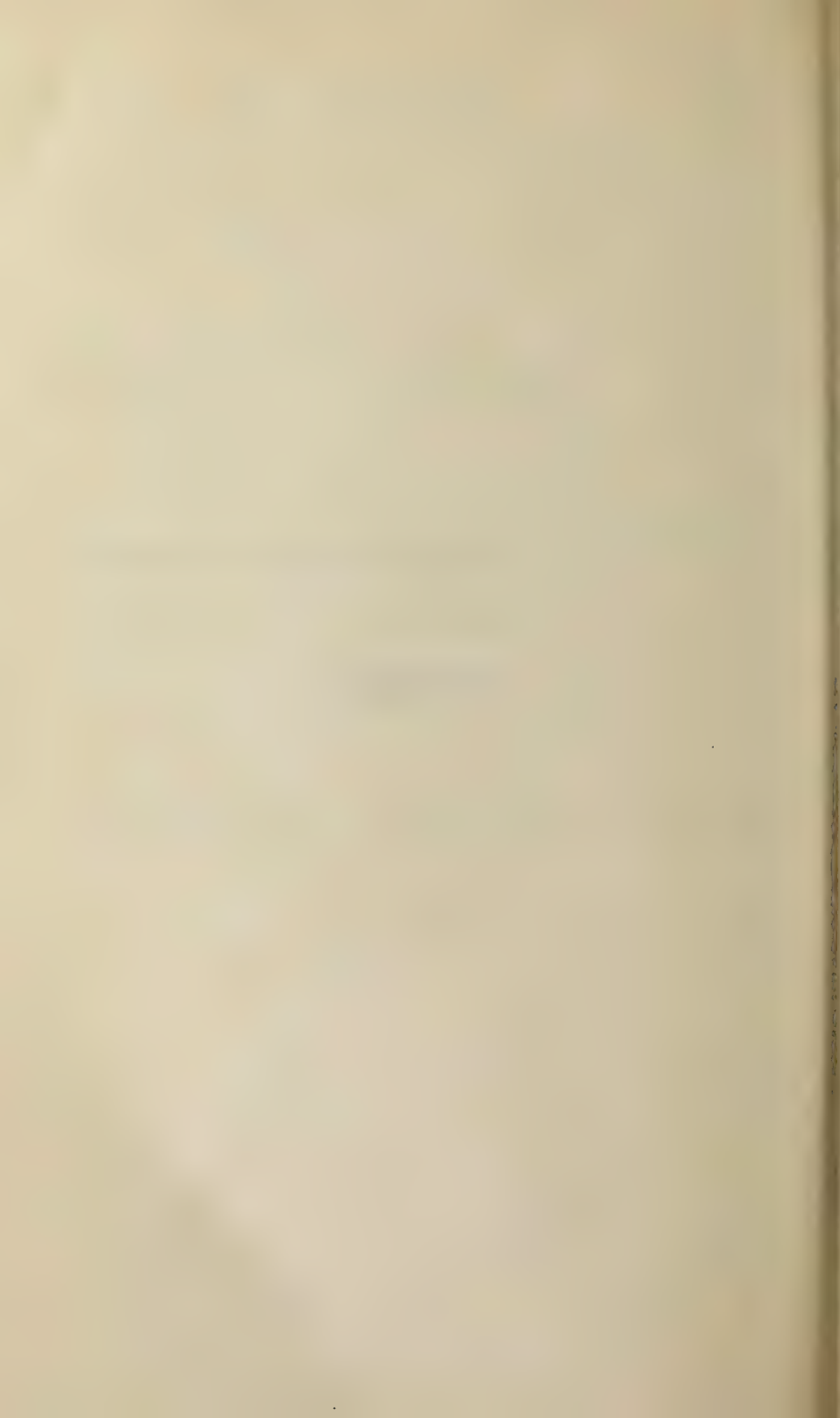


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# INDEX

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# INDEX TO SENATE JOURNAL

	PAGE
ACCOUNTANCY, STATE BOARD OF.	
Issuance and suspension of certificates.....	192
ACCUSED PERSONS. Rights of.....	286
ACQUISITION AND IMPROVEMENT ACT. Amending.....	320
ACQUISITION OF PROPERTY. By state.....	1093
ADJOURNMENT. Sine die.	
Relating to.....	1609
Relating to final.....	2362, 2363
ADJUTANT GENERAL. Powers of.....	2287
ADMINISTRATION.	
Special notice of.....	246
Order of.....	247
ADMINISTRATIONS OF ESTATES. Manner of notice of hearing petitions	471
ADMINISTRATORS.	
Relating to.....	140, 338
Accounts of.....	278
ADOPTION. Relating to.....	175, 275
AERONAUTICS.	
Making law uniform.....	177, 329
Creating aircraft department.....	188
Repealing act.....	188
Relating to public airports.....	217
AGED PERSONS. Protection and assistance of.....	306
AGE OF MAJORITY. Relating to.....	238
AGRICULTURAL ASSOCIATIONS.	
Relating to nonprofit.....	177
Excepting from provisions of Sec. 307, C.C.....	190
Relating to.....	317
AGRICULTURAL SEED. Adulteration of.....	306
ALAMEDA, COUNTY OF.	
Charter of.....	144
Salaries of judges.....	189
ALHAMBRA.	
Charter of.....	132
Amendments to charter.....	181
ALIENS.	
Employment of.....	79
Amending act.....	265
ALLEYS.	
Grading of.....	172
Changing grade of.....	186
AMENDMENT OF INDICTMENT OR INFORMATION. Relating to the.....	232
AMERICAN FOREST WEEK. Observance of.....	1409
AMERICAN LEGION. Convention of.....	352
AMERICAN RIVER. Utilization of waters of.....	1094
AMERICAN RIVER FLOOD CONTROL DISTRICT. Creating.....	1832
AMOUNT RECOVERABLE. Limitation on.....	199
ANGELES FOREST GAME PRESERVE. Creating.....	781
ANIMALS. Cruelty to.....	149
ANNEXATION OF TERRITORY. Preservation of status.....	217
ANSWER OF DEFENDANT. Relating to contents.....	178
APPEALS.	
Relating to.....	235
From municipal courts.....	249
APPELLATE COURTS. Jurisdiction of.....	217

	PAGE
<b>APPOINTEES.</b>	
Salaries, appropriation for .....	179
Of Secretary of State .....	223
<b>APPOINTMENT OF EXECUTORS.</b> Relating to .....	246
<b>APPOINTMENTS.</b>	
By Secretary after constitutional recess .....	342
By Sergeant-at-Arms after constitutional recess .....	343
<b>APPOINTMENTS BY GOVERNOR.</b>	
Members of State Board of Prison Directors .....	84, 101
Motions confirming appointments .....	101, 102
Commissioners, Harbor Board .....	344
<b>APPROPRIATIONS.</b> For support of government of State .....	210
<b>APPROVAL OF JOURNALS.</b>	
January 3 to 20 .....	334
February 23 to March 18 .....	1117
March 21 to April 8 .....	1612
April 11 to April 28 .....	2363
<b>ASSEMBLY CHAMBER.</b> Refurnishing and repair of .....	1933
<b>ASSOCIATIONS.</b>	
Agricultural .....	177
Relating to nonprofit, cooperative .....	177
Viticultural .....	177
Horticultural .....	177
<b>ATTACHES.</b>	
Appointment of—	
64, 66, 67, 69, 70, 102, 108, 109, 112, 137, 363, 371, 486, 746, 1348, 1992	
Stricken from list .....	198, 289, 746, 1701, 1935, 1937
Employed during recess .....	289
Reappointed after recess .....	347, 348, 351
Transfer of .....	486, 1348, 1666
<b>ATTACHMENTS.</b>	
Real and personal property .....	176
Writs of .....	199
Amending Sec. 542, C.C.P. ....	224
Relative to undertakings on .....	228
Relating to property under .....	322
<b>ATTORNEY GENERAL.</b>	
Duties of .....	263
Salaries of employees .....	263
Decision of .....	429
<b>AUBURN, CITY OF.</b> Petition from .....	1513
<b>AUTO CAMPS.</b>	
Relative to .....	179
Regulating .....	197
<b>AVENUES.</b> Changing grade of .....	186
<b>BAIL.</b> Forfeiture of .....	311
<b>BAIL BONDS.</b>	
Forfeiture of .....	230
Form of .....	230
Justification of sureties .....	230
Prescribing form of .....	235
Relating to .....	235
<b>BANK ACT.</b>	
Amending and adding sections .....	306
Money belonging to state .....	314
Money belonging to political subdivisions .....	314
Money belonging to State or political subdivision .....	317
Adding section to .....	871
<b>BANKING.</b>	
Relating to .....	259
Amending act .....	314
<b>BANKS.</b> Relating to rights of .....	247
<b>BARBER EXAMINERS.</b> Creating State Board of .....	146
<b>BEE CULTURE.</b> Legislation affecting .....	353
<b>BEEK, JOSEPH A.</b> Elected Secretary of the Senate. ....	9
<b>BELL, CHARLES W.</b> Adjournment out of respect for .....	1824
<b>BEQUESTS.</b> Formation of corporations to receive, and administer .....	188, 1513

BILLS, ASSEMBLY.

No.	PAGE
3 From Assembly, to committee, 477; from committee, 1170; read second time, 1189; read third time, passed, to Assembly	1341
5 From Assembly, to committee, 717; from committee, 994; read second time, 1033; read third time, passed, to Assembly	1203
6 From Assembly, to committee, 716; from committee, 779; read second time, 856; read third time, passed, to Assembly	1041
7 From Assembly, to committee, 1709; from committee, 1828; read second time, amended, 1866; read third time, passed, to Assembly, 2226; Assembly concurs in Senate amendments	2292
14 From Assembly, to committee, 1940; from committee, 2042; read second time, 2047; read third time, passed, to Assembly	2238
15 From Assembly, to committee, 1160; from committee, 1266; read second time, amended, 1318; read third time, passed, to Assembly, 1489; Assembly concurs in Senate amendments	1613
16 From Assembly, to committee	1390
17 From Assembly, to committee, 518; read second time, 816; read third time, passed, to Assembly	1042
18 From Assembly, to committee, 1504; from committee, 1646; read second time, amended, 1675; read third time, passed, to Assembly, 1844; Assembly concurs in Senate amendments	1962
22 From Assembly, to committee, 510; from committee, 775; read second time, 816; read third time, passed, to Assembly	1041
25 From Assembly, to committee, 1709; from committee, re-referred, 1751; from committee, 1774; read second time, 1816; read third time, passed, to Assembly	2004
26 From Assembly, to committee, 1504; from committee, 1560; read second time, 1597; read third time, passed, to Assembly	1836
27 From Assembly, to committee, 1438; from committee, 1582; read second time, 1517; amended, 1630; amended, 1841; read third time, passed, to Assembly, 1981; Assembly concurs in Senate amendments	2095
28 From Assembly, to committee, 834; read second time, 1134; read third time, passed, to Assembly	1210
29 From Assembly, to committee, 575; from committee, 1108; read second time, amended, 1132; read third time, passed, to Assembly	1209
32 In Senate, to committee, 1940; from committee without recommendation	2338
33 From Assembly, to committee, 575; from committee, 1054; read second time, 1090; read third time, passed, to Assembly	1207
34 From Assembly, to committee, 834; from committee, 1498; read second time, 1515; read third time, passed, to Assembly	1755
36 From Assembly, to committee, 572; from committee, 1170; read second time, 1189; read third time, passed, to Assembly	1342
37 From Assembly, to committee, 609; from committee, 1170; read second time, 1189; read third time, passed, to Assembly	1343
38 From Assembly, to committee, 1710; from committee, re-referred, 1830; from committee, 1886; read second time, 1894; read third time, passed, to Assembly	2015
40 From Assembly, to committee, 920; from committee, 1645; read second time, 1673; read third time, passed, to Assembly	1843
42 From Assembly, to committee, 1390; from committee, 1795; read second time, 1816; read third time, passed, to Assembly	1913
43 From Assembly, to committee, 1161; from committee, 1474; read second time, 1515; amended, 1689; read third time, passed, motion to reconsider, 1776; recommendation lapsed, to Assembly, 1854; Assembly concurs in Senate amendments	1961
48 In Senate, to committee, 1890; from committee, 1827; read second time, 1866; read third time, passed, to Assembly	2011
49 From Assembly, to committee, 1710; from committee, 1829; read second time, amended, 1867; read third time, passed, to Assembly, 2226; Assembly concurs in Senate amendments	2292
50 From Assembly, to committee, 413; from committee, 737; read second time, 761; read third time, passed, to Assembly	997
52 In Senate, to committee, 1880; from committee, 2021; read second time, amended, 2023; read third time, passed, to Assembly, 2141; Assembly concurs in Senate amendments	2257
54 From Assembly, to committee, 1390; from committee, 1460; read second time, 1479; read third time, passed, to Assembly	1656
58 From Assembly, to committee, 1303; from committee, 1553; read second time, amended, 1593; read third time, passed, to Assembly, 1784; Assembly concurs in Senate amendments	1961
62 From Assembly, to committee, 1710; from committee, 1829; read second time, amended, 1867; read third time, passed, to Assembly, 2226; Assembly concurs in Senate amendments	2292



## BILLS, ASSEMBLY—Continued.

No.		PAGE
63	From Assembly, to committee, 1710; from committee, 1829; read second time, amended, 1867; read third time, passed, to Assembly, 2227; Assembly concurs in Senate amendments-----	2292
64	From Assembly, to committee, 1710; from committee, 1829; read second time, amended, 1867; read third time, passed, to Assembly, 2227; Assembly concurs in Senate amendments-----	2292
66	From Assembly, to committee, 1706; from committee, 1771; read second time, amended, 1811; read third time, passed, to Assembly, 2237; Assembly concurs in Senate amendments-----	2292
67	From Assembly, to committee, 1710; from committee, 1773; read second time, 1814; read third time, passed, to Assembly-----	1902
68	From Assembly, to committee, 1303; from committee, 1365; read second time, 1976; read third time, passed, to Assembly-----	2038
69	From Assembly, to committee, 949; from committee, 1646; read second time, 1675; read third time, passed, to Assembly-----	1845
72	From Assembly, to committee, 1710; from committee, 1773; read second time, 1814; read third time, passed, to Assembly-----	1903
73	From Assembly, to committee, 1710; from committee, 1829; read second time, amended, 1868; read third time, passed, to Assembly, 2227; Assembly concurs in Senate amendments-----	2292
74	From Assembly, to committee, 1710; from committee, re-referred, 1830; from committee, 2045; read second time, 2051; read third time, passed, to Assembly-----	2176
75	From Assembly, to committee, 1710; from committee, 1829; read second time, amended, 1868; read third time, amended, 2128; read third time, passed, to Assembly, 2227; Assembly concurs in Senate amendments-----	2292
76	From Assembly, to committee, 1710; from committee, re-referred, 1830; from committee, 2045; read second time, amended, 2053; read third time, passed, to Assembly, 2239; Assembly concurs in Senate amendments-----	2292
79	From Assembly, to committee, 1705; from committee, 1883; read second time, amended, 1891; read third time, passed, 2152; to Assembly-----	2153
84	From Assembly, to committee, 1710; from committee, 1828; read second time, amended, 1868; read third time, passed, to Assembly, 2228; Assembly concurs in Senate amendments-----	2292
86	From Assembly, to committee, 630; from committee, 1266; read second time, 1317; read third time, passed, to Assembly-----	1381
87	From Assembly, to committee, 112; from committee without recommendation-----	2361
88	From Assembly, to committee, 834; from committee, 1012; read second time, 1089; read third time, passed, to Assembly-----	1255
90	From Assembly, to committee, 609; from committee, 1012; read second time, 1089; read third time, passed, to Assembly-----	1256
93	From Assembly, to committee, 518; from committee, 1214; read second time, 1232; read third time, passed, to Assembly-----	1373
95	From Assembly, to committee, 870; from committee, read second time, 1134; read third time, passed, to Assembly-----	1210
96	From Assembly, to committee, 920; read second time, 1134; read third time, passed, to Assembly-----	1211
99	From Assembly, to committee, 920; from committee without recommendation-----	2340
104	From Assembly, 211; made case of urgency, constitution suspended, read second time, 212; read third time, passed, to Assembly-----	213
105	From Assembly, to committee, 1711; from committee, 1828; read second time, amended, 1868; read third time, passed, to Assembly, 2228; Assembly concurs in Senate amendments-----	2292
108	From Assembly, to committee, 1338; from committee, 1499; read second time, 1515; read third time, passed, to Assembly-----	1730
109	From Assembly, to committee, 1711; from committee, 1828; read third time, passed, to Assembly, 2228; Assembly concurs in Senate amendments-----	2293
110	From Assembly, to committee, 959; from committee, 116; read second time, amended, 1164; read third time, passed, to Assembly-----	1212
113	From Assembly, to committee, 870; from committee, read second time, 1134; read third time, passed, to Assembly-----	1300
114	From Assembly, to committee, 834; from committee, 1201; read second time, amended, 1227; read third time, 1601; passed, to Assembly, 1602; Assembly concurs in Senate amendments-----	1662
115	From Assembly, to committee, 1390; from committee without recommendation-----	2357
120	In Senate, to committee, 1995; from committee, 2252; read second time, amended, 2253; read third time, 2296; passed, to Assembly, 2300; Assembly concurs in Senate amendments-----	2315

# INDEX TO SENATE JOURNAL.

2371

## BILLS, ASSEMBLY—Continued.

No.	PAGE
122 In Senate, to committee, 1940; from committee without recommendation	2361
128 From Assembly, to committee, 1308; from committee, 1365; read second time, 1416; read third time, passed, to Assembly	1608
130 In Senate, to committee, 1940; re-referred, 2040; read third time, passed, to Assembly	2142
133 From Assembly, to committee, 1146; from committee, 1499; read second time, 1515; amended, 1659; read third time, passed, to Assembly, 1730; Assembly refuses to concur in Senate amendments, 1825; Senate refuses to recede, 1954; Committee on Conference, 1955; report accepted, 1986; committee amends, to Assembly, 2021; Assembly adopts report	2075
140 From Assembly, to committee, 1338; from committee, 1365; read second time, 1416; read third time, passed, to Assembly	1609
141 From Assembly, to committee, 1662; from committee, 1769; read second time, amended, 1810; read third time, passed, to Assembly, 1985; Assembly concurs in Senate amendments	2095
142 From Assembly, 259; made case of urgency, 260; read second and third times, passed, to Assembly	261
143 From Assembly, to committee, 477; from committee, 627; read second time, amended, 721; read third time, passed, to Assembly, 823; Assembly concurs in Senate amendments	923
148 From Assembly, to committee, 1303; from committee, 1499; read second time, 1515; amended 1777; read third time, passed, to Assembly, 1915; Assembly concurs in Senate amendments	2083
149 From Assembly, to committee, 870; from committee, 1499; read second time, 1515; amended, 1730; read third time, passed, to Assembly, 1915; Assembly concurs in Senate amendments	2083
150 From Assembly, to committee, 921; from committee, 1366; read second time, 1418; read third time, passed, to Assembly	1836
152 From Assembly, to committee, 1711; from committee, 1773; read second time, 1814; read third time, passed, to Assembly	1903
153 From Assembly, to committee, 1711; from committee, 1828; read second time, amended, 1869; read third time, passed, to Assembly, 2229; Assembly concurs in Senate amendments	2293
156 From Assembly, to committee, 379; from committee without recommendation	2361
157 From Assembly, to committee, 921; from committee, 1246; read second time, amended, 1281; amended, 1347; read third time, passed, to Assembly, 1375; Assembly refuses to concur in Senate amendments, 1824; Senate refuses to recede, 2136; Conference Committee appointed, 2171; report adopted, 2188; to Assembly, 2188; Assembly adopts report	2282
158 From Assembly, to committee, 1175; from committee, 1246; read second time, 1281; read third time, passed, to Assembly	1375
159 From Assembly, to committee, 834; from committee, 1366; read second time, 1418; read third time, passed, to Assembly	1652
160 From Assembly, to committee, 1711; from committee, 1828; read second time, amended, 1869; amended, 2011; read third time, passed, to Assembly, 2229; Assembly concurs in Senate amendments	2293
161 In Senate, to committee	1749
162 From Assembly, to committee, 1174; from committee, 1585; read second time, 1642; read third time, passed, to Assembly	1981
163 From Assembly, to committee, 921; from committee, 1170; read second time, 1189; read third time, passed, to Assembly	1341
164 From Assembly, to committee, 477; from committee, 627; read second time, 722; read third time, passed, to Assembly	940
165 From Assembly, to committee, 739; from committee, 775; read second time, 816; read third time, 998; passed, to Assembly	999
166 From Assembly, to committee, 1711; from committee, 1773; read second time, 1814; read third time, passed, to Assembly	1904
167 From Assembly, to committee, 1711; re-referred, 1965; from committee, 2045; read second time, 2052; read third time, passed, To Assembly	2176
168 From Assembly, to committee, 609; from committee, 1060; read second time, amended, 1129; read third time, passed, to Assembly	1207
169 From Assembly, to committee, 716; from committee, 1060; read second time, amended, 1129; read third time, passed, to Assembly	1208
170 From Assembly, to committee, 921; from committee, 1802; read second time, 1863; read third time, passed, to Assembly	2006
171 In Senate, to committee, 1995; from committee, 2045; read second time, amended, 2053; read third time, passed, to Assembly, 2179; Assembly concurs in Senate amendments	2257
172 From Assembly, to committee, 1711; from committee, 1773; read second time, 1814; read third time, passed, to Assembly	1904

## BILLS, ASSEMBLY Continued.

No.		PAGE
175	From Assembly, to committee, 609; from committee, 1061; read second time, 1132; read third time, passed, to Assembly-----	1209
176	From Assembly, to committee, 609; from committee, 1060; read second time, amended, 1131; read third time, passed, to Assembly-----	1208
177	In Senate, to committee, 1940; from committee, 2031; read second time, amended, 2055; read third time, 2245; passage refused-----	2279
178	From Assembly, to committee, 950; from committee, 1170; read second time, 1190; read third time, passed, to Assembly-----	1301
179	From Assembly, to committee, 1504; from committee, 1770; read second time, 1811; read third time, passed, to Assembly-----	1902
180	From Assembly, to committee, 834; from committee, 1266; read second time, 1318; read third time, passed, to Assembly-----	1602
181	From Assembly, to committee, 1662; from committee, 1925; read second time, 1970; read third time, passed, to Assembly-----	2174
182	From Assembly, to committee, 1590; from committee, 1540; read second time, amended, 1588; read third time, passed, to Assembly, 1779; Assembly concurs in Senate amendments-----	1961
185	In Senate, to committee, 1746; from committee, 1773; read second time, 1814; read third time, passed, to Assembly-----	1879
186	From Assembly, to committee, 379; from committee, 1366; read second time, 1418; amended, 1486; read third time, passed, to Assembly, 1652; Assembly concurs in Senate amendments-----	1796
188	From Assembly, to committee, 1711; from committee, 1828; read second time, 1869; amended, 1870; read third time, passed, to Assembly, 2229; Assembly concurs in Senate amendments-----	2293
189	From Assembly, to committee, 1537; from committee, 1702; read second time, 1752; read third time, passed, to Assembly-----	1849
190	From Assembly, to committee, 1390; from committee, 1666; read second time, 1718; read third time, passed, to Assembly-----	1847
191	From Assembly, to committee, 575; from committee, 1646; read second time, amended, 1673; read third time, passed, to Assembly, 1844; Assembly concurs in Senate amendments-----	1961
193	From Assembly, to committee, 518; from committee, 735; read second time, 759; amended, 760; read third time, passed, to Assembly-----	940
194	From Assembly, to committee, 1263; from committee, 1396; read second time, 1454; read third time, passed to Assembly-----	2235
195	From Assembly, to committee, 950; from committee, 1338; amended, re-referred, 1354; from committee, 1645; read second time, amended, 1673; read third time, passed, to Assembly, 2235; Assembly concurs in Senate amendments-----	2293
196	From Assembly, to committee, 442; from committee, 1366; read second time, 1419; read third time, passed, to Assembly-----	1836
197	From Assembly, to committee, 1363; from committee, 1584; read second time, amended, 1642; read third time, passed, to Assembly, 1842; Assembly concurs in Senate amendments-----	1961
199	From Assembly, to committee, 1706; from committee, 1825; read second time, 1863; read third time, passed, to Assembly-----	2008
201	From Assembly, to committee, 824; from committee, 1060; read second time, amended, 1130; read third time, passed, to Assembly-----	1208
202	From Assembly, to committee, 921; from committee, 1108; read second time, amended, 1132; read third time, passed, to Assembly-----	1210
203	From Assembly, to committee, 574; from committee, read second time, 1134; read third time, passed, to Assembly-----	1211
206	From Assembly, to committee, 1711; from committee, 1745; read second time, 1752; read third time, passed, to Assembly-----	1849
207	From Assembly, to committee, 1338; from committee, 1502; read second time, amended, 1523; read third time, passed, to Assembly, 1779; Assembly concurs in Senate amendments-----	1961
208	From Assembly, to committee, 630; from committee, 1060; read second time, 1131; read third time, passed, to Assembly-----	1209
209	From Assembly, to committee, 739; from committee, 863; read second time, 903; read third time, passed, to Assembly-----	1043
211	From Assembly, to committee, 1390; from committee, 1499; read second time, 1516; read third time, passed, to Assembly-----	1731
212	From Assembly, to committee, 1439; from committee, 2042; read second time, amended, 2048; read third time, passed, to Assembly, 2248; Assembly concurs in Senate amendments-----	2315
213	From Assembly, to committee, 1711; from committee, 1825; read second time, 1863; read third time, passed, to Assembly-----	2017
216	From Assembly, to committee, 833; from committee, 1267; read second time, amended, 1319; read third time, passed, to Assembly-----	1382
217	In Senate, to committee, 1880; from committee, re-referred, 1926; read second time, 1975; read third time, passed, to Assembly-----	2027



BILLS, ASSEMBLY—Continued.

No.	PAGE
221 From Assembly, to committee, 1263; from committee, 1581; read second time, 1639; read third time, passed, to Assembly-----	1896
222 From Assembly, to committee, 1146; from committee, 1553; read second time, 1593; read third time, passed, to Assembly-----	1782
223 From Assembly, to committee, 950; from committee, 1551; read second time, 1590; read third time, passed, to Assembly-----	1783
224 From Assembly, to committee, 1146; from committee, 1551; read second time, 1590; read third time, passed, to Assembly-----	1782
225 In Senate, to committee, 1800; from committee, 1882; read second time, 1890; read third time, passed, to Assembly-----	2018
228 In Senate, to committee, 1800; from committee, 1882; read second time, 1890; read third time, passed, to Assembly-----	2019
229 From Assembly, to committee, 823; from committee, 1583; read second time, amended, 1642; read third time, passed, to Assembly, 2140; Assembly concurs in Senate amendments-----	2257
230 From Assembly, to committee, 1146; from committee, 1499; read second time, 1516; read third time, passed, to Assembly-----	1834
233 From Assembly, to committee, 518; from committee, 736; read second time, 760; amended, 761; amended, 863; read third time, passed, to Assembly-----	941
235 In Senate, to committee, 1995; from committee, 2022; read second time, 2025; read third time, passed, to Assembly-----	2064
236 From Assembly, to committee, 518; from committee, 1265; read second time, 1317; read third time, passed, to Assembly-----	1380
238 From Assembly, to committee, 950; from committee, 1157; read second time, 1189; read third time, passed, to Assembly-----	1343
239 From Assembly, to committee, 824; from committee, 1266; read second time, 1317; amended, 1380; read third time, passed, to Assembly, 1788; Assembly concurs in Senate amendments-----	1961
240 From Assembly, to committee, 917; from committee, 954; read second time, 1033; amended, 1149; read third time, passed, to Assembly-----	1255
241 From Assembly, to committee, 917; from committee, 954; read second time 1033; read third time, passed, to Assembly-----	1149
242 From Assembly, to committee, 739; from committee, 1266; read second time, 1317; read third time, passed, to Assembly-----	1381
243 From Assembly, to committee, 413; from committee, 606; read second time, 622; read third time, passed, to Assembly-----	823
244 From Assembly, to committee, 918; from committee, 1581; read second time, 1639; amended, 1840; read third time, passed, to Assembly, 1981; Assembly concurs in Senate amendments-----	2035
247 From Assembly, to committee, 1174; from committee, 1510; read second time, 1540; read third time, passed, to Assembly-----	1977
251 From Assembly, to committee, 575; from committee, 627; read second time, 722; read third time, passed, to Assembly-----	827
252 From Assembly, to committee, 1504; from committee, 1666; read second time, 1718; read third time, passed, to Assembly-----	1847
253 From Assembly, to committee, 1390; from committee, 1499; read second time, 1516; read third time, passed, to Assembly-----	1731
255 In Senate, to committee, 1880; from committee, 2046; read second time, amended, 2054; read third time, passed, to Assembly, 2180; Assembly concurs in Senate amendments-----	2257
256 From Assembly, to committee, 1711; from committee, 1828; read second time, amended, 1870; read third time, passed, to Assembly, 2229; Assembly concurs in Senate amendments-----	2293
257 From Assembly, to committee, 823; from committee, 1247; read second time, 1282; read third time, passed, to Assembly-----	1435
258 From Assembly, to committee, 950; from committee, 1499; read second time, 1516; read third time, passed, to Assembly-----	1732
259 From Assembly, to committee, 1390; from committee, 1688; read second time, 1719; read third time, passed, to Assembly-----	2030
260 From Assembly, to committee, 739; from committee, 1687; read second time, amended, 1720; read third time, passed, to Assembly-----	2030
261 From Assembly, to committee, 824; from committee, 1965; read second time, amended, 1977; read third time, 2051; passed, to Assembly, 2052; Assembly concurs in Senate amendments-----	2094
262 From Assembly, to committee, 950; from committee, 1883; read second time, 1893; read third time, passed, to Assembly-----	2019
263 From Assembly, to committee, 1174; from committee, 1266; read second time, 1318; amended, 1470; read third time, passed, to Assembly, 1603; Assembly refuses to concur in Senate amendments; Senate refuses to recede, 1691; Conference Committee appointed, 1745; conference report adopted, 1745; Committee on Free Conference, 1753; committee amends, 1831; report adopted-----	1881



## BILLS, ASSEMBLY Continued.

No.	PAGE
264 From Assembly, to committee, 1110; from committee, 1367; read second time, amended, 1421; amended, 1494; read third time, passed, to Assembly, 1837; Assembly concurs in Senate amendments -----	1961
265 From Assembly, to committee, 572; from committee, 1009; read second time, 1084; read third time, passed, to Assembly-----	1151
266 From Assembly, to committee, 574; from committee, 1009; read second time, 1084; read third time, passed, to Assembly-----	1151
267 From Assembly, to committee, 1616; from committee, 1926; read second time, amended, 1971; read third time, passed, to Assembly, 2036; Assembly concurs in Senate amendments-----	2095
268 From Assembly, 259; Made case of urgency, 260; read second and third times, passed, to Assembly-----	262
269 From Assembly, to committee, 1711; from committee, re-referred, 1830; from committee, 1886; read second time, 1894; read third time, passed, to Assembly-----	2061
270 From Assembly, to committee, 1711; from committee, 1773; read second time, 1814; read third time, passed, to Assembly-----	1904
271 From Assembly, to committee, 1711; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1904
272 From Assembly, to committee, 1712; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1905
273 From Assembly, to committee, 1712; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1905
274 From Assembly, to committee, 1712; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1905
275 From Assembly, to committee, 1712; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1905
276 From Assembly, to committee, 1712; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1906
277 From Assembly, to committee, 1712; from committee, 1772; read second time, 1814; read third time, passed, to Assembly-----	1906
278 From Assembly, to committee, 1712; from committee, 1772; read second time, 1812; read third time, passed, to Assembly-----	1906
279 From Assembly, to committee, 1712; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1906
280 From Assembly, to committee, 1712; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1907
281 From Assembly, to committee, 1707; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1907
282 From Assembly, to committee, 1707; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1907
283 From Assembly, to committee, 1707; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1907
284 From Assembly, to committee, 1707; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1908
285 From Assembly, to committee, 1707; from committee, 1772; read second time, 1813; read third time, passed, to Assembly-----	1908
286 From Assembly, to committee, 1707; from committee, 1773; read second time, 1814; read third time, passed, to Assembly-----	1908
287 From Assembly, to committee, 870; read second time, 1134; read third time, passed, to Assembly-----	1300
289 From Assembly, to committee, 870; read second time, 1134; read third time, passed, to Assembly-----	1339
290 From Assembly, to committee, 1707; from committee, 1828; read second time, amended, 1870; read third time, passed, to Assembly, 2230; Assembly concurs in Senate amendments-----	2293
291 From Assembly, to committee, 1338; from committee, 1883; read second time, 1892; amended, 1893; read third time, passed, to Assembly, 2174; Assembly concurs in Senate amendments-----	2257
292 From Assembly, to committee, 832; from committee, 861; read second time, 944; read third time, passed, to Assembly-----	1044
293 From Assembly, to committee, 1616; from committee, 1926; read second time, amended, 1972; read third time, passed, to Assembly, 2037; Assembly refuses to concur in Senate amendments, Senate recedes, to Assembly-----	2185
296 From Assembly, to committee, 1707; from committee, 1828; read second time, amended, 1871; read third time, passed, to Assembly, 2230; Assembly concurs in Senate amendments-----	2293
298 From Assembly, to committee, 1218; from committee, 1551; read second time, 1590; read third time, passed, 1895; motion to reconsider, 1896; reconsideration lapsed, to Assembly-----	2047
300 From Assembly, to committee, 1370; from committee, 1882; read second time, 1890; read third time, passed, to Assembly-----	2059

BILLS, ASSEMBLY Continued.

No.		PAGE
303	From Assembly, to committee, 543; read second time, amended, 945; amended, 1104; read third time, passed, to Assembly, 1148; Assembly concurs in Senate amendments; Senate refuses to recede, 1372; Committee on Free Conference, 1575; report adopted, 1578; Assembly adopts report	1587
304	From Assembly, to committee, 543; from committee, 1965; read second time, 1976; read third time, passed, to Assembly	2038
305	From Assembly, to committee, 1175; from committee, 1368; read second time, amended, 1422; read third time, passed, to Assembly, 1980; Assembly concurs in Senate amendments	2095
306	From Assembly, to committee, 832; from committee, 1364; read second time, amended, 1414; read third time, 1607; passed, to Assembly, 1608; Assembly concurs in Senate amendments	1662
307	From Assembly, to committee, 1338; from committee, 1499; read second time, 1516; read third time, passed, to Assembly	2172
310	From Assembly, to committee, 1389; from committee, 1499; read second time, 1516; read third time, passed, to Assembly	1733
311	From Assembly, to committee, 1570; from committee, 1994; read second time, amended, 1999; read third time, passed, to Assembly, 2065; Assembly concurs in Senate amendments	2093
315	From Assembly, to committee, 543; from committee, 943; read second time, 982; read third time, passed, to Assembly	1045
316	In Senate, to committee, 1800; from committee, 1926; read second time, amended, 1972; read third time, passed, to Assembly, 2140; Assembly concurs in Senate amendments	2258
318	From Assembly, to committee, 1146; from committee, 1247; read second time, 1282; read third time, passed, to Assembly	1434
319	From Assembly, to committee, 1146; from committee, 1247; read second time, 1282; read third time, passed, to Assembly	1435
320	In Senate, to committee, 1940; from committee, 1993; read second time, 1999; amended, 2040; read third time, passed, to Assembly, 2147; Assembly concurs in Senate amendments	2258
372	From Assembly, to committee, 950; from committee, 1366; read second time, 1419; read third time, passed, to Assembly	1609
373	From Assembly, to committee, 950; from committee without recommendation	2361
374	From Assembly, to committee, 950; from committee without recommendation	2361
375	From Assembly, to committee, 950; from committee, 1366; read second time, 1419; read third time, passed, to Assembly	1791
376	From Assembly, to committee, 950; from committee, 1366; read second time, 1419; read third time, 1791; passed, to Assembly	1792
377	From Assembly, to committee, 950; from committee, 1367; read second time, amended, 1421; read third time, passed, to Assembly, 1979; Assembly concurs in Senate amendments	2095
378	From Assembly, to committee, 950; read second time, amended, 1421; read third time, passed, to Assembly, 1979; Assembly concurs in Senate amendments	2094
379	From Assembly, to committee, 950; from committee without recommendation	2361
381	In Senate, to committee, 1995; from committee without recommendation	2361
382	From Assembly, to committee, 1175; from committee, 1365; read second time, 1416; read third time, passed, to Assembly	1485
383	From Assembly, to committee, 572; from committee, 1009; read second time, 1084; read third time, passed, to Assembly	1150
384	From Assembly, to committee, 543; from committee, 1463; read second time, 1482; read third time, passed, to Assembly	1729
385	From Assembly, to committee, 832; from committee, 1010; read second time, 1085; read third time, passed, to Assembly	1435
386	From Assembly, to committee, 1145; from committee, 1460; read second time, 1480; read third time, passed, 1656; to Assembly	1657
387	From Assembly, to committee, 1145; from committee, 1552; read second time, 1590; read third time, passed, to Assembly	1780
394	From Assembly, to committee, 1706; from committee, 1745; read second time, 1753; read third time, passed, to Assembly	1900
395	From Assembly, to committee, 1706; from committee, 1745; read second time, amended, 1753; amended, 2031; read third time, passed, to Assembly, 2237; Assembly concurs in Senate amendments	2293
398	From Assembly, to committee, 833; from committee, 1499; read second time, 1516; amended, 1611; read third time, passed, to Assembly, 1733; Assembly concurs in Senate amendments	1796

## BILLS, ASSEMBLY—Continued.

No.	PAGE
400 From Assembly, to committee, 1145; from committee, 1500; read second time, 1516; read third time, passed, to Assembly	1733
401 From Assembly, to committee, 1370; from committee, 1462; read second time, 1481; amended, 1839; read third time, passed, to Assembly, 1980; Assembly concurs in Senate amendments	2095
402 From Assembly, to committee, 1706; from committee, 2042; read second time, 2047; read third time, passed, to Assembly	2145
403 From Assembly, to committee, 833; read second time, amended, 1283; read third time, passed, to Assembly	1435
404 From Assembly, to committee, 921; from committee, 1827; read second time, 1866; read third time, passed, to Assembly	2010
406 From Assembly, to committee, 609; from committee without recommendation	2337
407 From Assembly, to committee, 870; from committee, 944; read second time, amended, 983; read third time, passed, to Assembly	1046
408 From Assembly, to committee, 1389; from committee, 1460; read second time, 1480; read third time, passed, to Assembly	1657
410 From Assembly, to committee, 1439; from committee, 1561; read second time, 1597; read third time, passed, to Assembly	1786
412 From Assembly, to committee, 921; from committee, 1461; read second time, amended, 1481; amended, 1610; read third time, 1838, passed, 1839; notice to reconsider, 1852; recommendation waived, to Assembly, 1880; Assembly concurs in Senate amendments	2059
413 From Assembly, to committee, 959; from committee, 1461; read second time, 1480; read third time, passed, to Assembly	1658
414 In Senate, to committee, 1880; from committee, 1966; read second time, amended, 1975; read third time, passed, to Assembly, 2038; Assembly concurs in Senate amendments	2094
417 From Assembly, to committee, 869; from committee, 1269; read second time, amended, 1321; amended, 1527; amended, 1742; amended, 1894; read third time, passed, to Assembly, 2017; Assembly concurs in Senate amendments	2093
419 From Assembly, to committee, 869; from committee, 1925; read second time, 1970; read third time, passed, to Assembly	2174
420 From Assembly, to committee, 1006; from committee without recommendation	2361
421 From Assembly, to committee, 574; from committee, 780; read second time, 856; read third time, passed, to Assembly	1047
422 From Assembly, to committee, 717; from committee, 1306; read second time, 1419; amended, 1527; read third time, passed, to Assembly, 1652; Assembly concurs in Senate amendments	1796
423 From Assembly, to committee, 1263; from committee without recommendation	2361
424 From Assembly, to committee, 1263; from committee without recommendation	2361
427 From Assembly, to committee, 1707; from committee, 1828; read second time, amended, 1871; read third time, passed, to Assembly, 2230; Assembly concurs in Senate amendments	2293
428 From Assembly, to committee, 1707; from committee, 1828; read second time, amended, 1871; read third time, passed, to Assembly, 2231; Assembly concurs in Senate amendments	2293
429 From Assembly, to committee, 574; from committee, 1460; read second time, 1480; read third time, passed, to Assembly	1657
430 From Assembly, to committee, 833; from committee, 1500; read second time, 1576; amended, 2029; read third time, 2139; passed, 2149; to Assembly, 2150; Assembly concurs in Senate amendments	2258
434 From Assembly, to committee, 1707; from committee, 1773; read second time, 1814; read third time, 1908; passed, to Assembly	1909
436 From Assembly, to committee, 918; from committee, 1368; read second time, amended, 1423; read third time, passed, to Assembly, 1494; Assembly concurs in Senate amendments	1613
439 From Assembly, to committee, 1006; from committee, 1367; read second time, 1421; read third time, passed, to Assembly	1489
440 From Assembly, to committee, 869; from committee without recommendation	2334
442 From Assembly, to committee, 832; from committee, 1054; read second time, 1090; read third time, 1257; passed, to Assembly	1258
443 From Assembly, to committee, 574; from committee, 780; read second time, amended, 857; read third time, passed, to Assembly	1042
444 From Assembly, to committee, 717; from committee, 1011; read second time, 1088; re-referred, 1205; from committee without recommendation	2354



BILLS, ASSEMBLY—Continued.

No.	PAGE
445 From Assembly, to committee, 1707; from committee, 1801; read second time, 1862; read third time, passed, to Assembly	2006
447 From Assembly, to committee, 1303; from committee, 1887; read second time, 1719; read third time, passed, to Assembly	1899
448 From Assembly, to committee, 1537; from committee, 1826; read second time, 1948; read third time, passed, to Assembly	2009
449 From Assembly, to committee, 1445; from committee, 1395; read second time, amended, 1453; read third time, passed, to Assembly, 1655; in Senate, Assembly concurs in Senate amendments	1962
457 From Assembly, to committee, 832; from committee, 943; read second time, 983; read third time, passed, to Assembly	1046
460 From Assembly, to committee, 716; from committee, 1120; read second time, amended, 1284; read third time, 1378; passed, to Assembly	1379
461 In Senate, to committee, 1995; from committee, 2158; read second time, amended, 2161; read third time, passed, to Assembly, 2224; Assembly concurs in Senate amendments	2293
463 From Assembly, to committee, 1537; from committee, 1687; read second time, 1719; read third time, passed, to Assembly	2058
467 From Assembly, to committee, 832; from committee, 1500; read second time, 1516; read third time, passed, to Assembly	1733
468 From Assembly, to committee, 477; from committee, re-referred, 1501; from committee, 1965; read second time, amended, 1977; read third time, passed, to Assembly, 2039; Assembly concurs in Senate amendments	2093
471 From Assembly, to committee, 1338; from committee, 1502; read second time, 1521; read third time, passed, to Assembly	1977
473 From Assembly, to committee, 1707; from committee, 1773; read second time, 1814; read third time, passed, to Assembly	1909
474 From Assembly, to committee, 1389; from committee, 1925; read second time, amended, 1971; read third time, passed, to Assembly, 2174; Assembly concurs in Senate amendments	2258
475 From Assembly, to committee, 1303; from committee, 1500; read second time, 1516; read third time, passed, to Assembly	1835
476 From Assembly, to committee, 574; from committee, 1533; read second time, 1541; read third time, passed, to Assembly	1779
478 From Assembly, to committee, 717; from committee, 1534; read second time, 1541; read third time, passed, to Assembly	1739
486 From Assembly, to committee, 832; from committee, 1203; read second time, amended, 1230; read third time, passed, to Assembly, 1345; Assembly refuses to concur in Senate amendments, 1554; Senate refuses to recede, 1555; conference committee appointed, 1579; Assembly adopts report, 1587; Assembly adopts and amends, 1664; adopted, to Assembly, 1665; Assembly adopts report	1703
489 From Assembly, to committee, 413; from committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, 432; read second and third times, passed, to Assembly	433
492 From Assembly, to committee, 1263; from committee, 1462; read second time, 1481; read third time, passed, to Assembly	1729
493 From Assembly, to committee, 630; from committee, 1366; read second time, 1419; read third time, passed, to Assembly	1653
498 From Assembly, to committee, 869; from committee, 1247; read second time, 1282; read third time, passed, to Assembly	1378
500 From Assembly, to committee, 1160; from committee, read second time, amended, 1233; read third time, 1328; passed, to Assembly, 1329; Assembly sustains veto by Governor	1649
503 From Assembly, to committee, 477; from committee, 1170; read second time, 1189; read third time, passed, to Assembly	1372
504 From Assembly, to committee, 831; from committee, 1170; read second time, 1189; read third time, passed, to Assembly	1342
505 From Assembly, to committee, 717; from committee, 1010; read second time, 1085; read third time, passed, to Assembly	1256
507 From Assembly, to committee, 717; from committee, 1010; read second time, 1085; read third time, 1256; passed, to Assembly	1257
509 From Assembly, to committee, 1389; from committee, 1500; read second time, 1517; read third time, passed, to Assembly	1733
513 From Assembly, to committee, 831; from committee, 1010; read second time, 1134; read third time, passed, to Assembly	1339
514 From Assembly, to committee, 870; from committee, 1010; read second time, 1134; read third time, passed, to Assembly	1339
515 From Assembly, to committee, 1706; from committee, 1770; read second time, 1811; read third time, passed, to Assembly	2004



## BILLS, ASSEMBLY—Continued.

No.	PAGE
516 From Assembly, to committee, 609; from committee, 1502; read second time, 1521; read third time, passed, to Assembly	1777
518 From Assembly, to committee, 918; from committee, 1552; read second time, 1591; read third time, passed, to Assembly	1739
519 From Assembly, to committee, 1616; from committee, 1771; read second time, amended, 1812; read third time, 2019; passed, to Assembly, 2020; Assembly concurs in Senate amendments	2094
520 From Assembly, to committee, 442; from committee, 1552; read second time, 1591; read third time, passed, to Assembly	1740
521 From Assembly, to committee, 442; from committee, 1553; read second time, amended, 1593; read third time, passed, to Assembly, 1740; Assembly concurs in Senate amendments	1796
522 From Assembly, to committee, 442; from committee, 1552; read second time, 1592; read third time, passed, to Assembly	1740
523 From Assembly, to committee, 1389; from committee, 1552; read second time, 1592; read third time, passed, to Assembly	1741
524 From Assembly, to committee, 1391; from committee, 1552; read second time, 1592; read third time, passed, to Assembly	1741
525 In Senate, to committee, 1800; from committee, 1882; read second time, 1891; read third time, passed, to Assembly	2013
526 In Senate, to committee, 1800; from committee, 1882; read second time, 1891; read third time, passed, to Assembly	2013
527 In Senate, to committee, 1799; from committee, 1882; read second time, 1891; read third time, passed, to Assembly	2014
528 From Assembly, to committee, 413; from committee, 1553; read second time, amended, 1594; read third time, passed, to Assembly, 1783; in Senate, Assembly concurs in Senate amendments	1962
529 In Senate, to committee, 510; from committee, 1552; read second time, 1592; passed, notice of reconsideration, 1741; reconsidered, amended, 1756; read third time, passed, to Assembly, 1984; Assembly concurs in Senate amendments	2095
530 From Assembly, to committee, 1509; from committee, 1552; read second time, 1592; read third time, 1741; passed, to Assembly	1742
531 From Assembly, to committee, 1509; from committee, 1552; read second time, 1592; read third time, passed, to Assembly	1742
532 From Assembly, to committee, 1509; from committee, 1552; read second time, 1592; read third time, passed, to Assembly	1742
533 From Assembly, to committee, 1304; from committee, 1553; read second time, amended, 1594; amended, 1783; read third time, passed, to Assembly, 2016; Assembly concurs in Senate amendments	2094
534 From Assembly, to committee, 1662; from committee, 1770; read second time, 1811; read third time, passed, to Assembly	2004
535 From Assembly, to committee, 518; from committee, 1552; read second time, 1592; read third time, passed as amended, to Assembly, 1742; Senate concurs in Assembly amendments, 2147; to enrollment	2148
536 From Assembly, to committee, 950; from committee, 1061; read second time, 1132; read third time, amended, 1209; passed, to Assembly	1299
537 From Assembly, to committee, 608; from committee, 1009; read second time, 1084; read third time, passed, to Assembly	1152
538 From Assembly, to committee, 608; from committee, 1009; read second time, 1084; read third time, passed, to Assembly	1152
540 From Assembly, to committee, 922; from committee, 1009; read second time, 1084; read third time, passed, to Assembly	1204
544 From Assembly, to committee, 870; from committee, 1011; read second time, amended, 1085; amended, 1205; amended, 1299; amended, 1471; read third time, 1601; passed, to Assembly, 1602; Assembly concurs in Senate amendments	1662
548 From Assembly, to committee, 630; from committee, 857; read second time, 902; read third time, passed, to Assembly	1043
549 From Assembly, to committee, 630; from committee, 1061; read second time, 1132; read third time, 1299; passed, to Assembly	1300
553 From Assembly, to committee, 477; from committee, 1247; read second time, 1282; read third time, passed, to Assembly	1377
555 From Assembly, to committee, 950; from committee, 1121; read second time, passed, to Assembly	1373
557 In Senate, to committee, 1998; from committee, 2022; read second time, 2023; read third time, passed, to Assembly	2056
558 From Assembly, to committee, 950; from committee, 1128; read second time, 1135; read third time, passed, to Assembly	1432
559 From Assembly, to committee, 869; from committee, 1269; read second time, amended, 1321; read third time, passed, to Assembly, 1482; Assembly concurs in Senate amendments	1569

## BILLS, ASSEMBLY- Continued.

No.	PAGE
560 In Senate, to committee, 1995; from committee, 2022; read second time, 2023; passed, reconsideration asked, 2056; reconsidered, amended, 2139; read third time, passed, to Assembly, 2223; Assembly concurs in Senate amendments-----	2293
561 From Assembly, to committee, 543; from committee without recommendation-----	2333
564 From Assembly, to committee, 1338; from committee, 1552; read second time, 1592; read third time, passed, to Assembly-----	1780
565 From Assembly, to committee, 1304; from committee, 1500; read second time, 1517; read third time, passed, to Assembly-----	1734
566 From Assembly, to committee, 831; from committee, 1021; read second time, 1135; read third time, passed, to Assembly-----	1433
570 From Assembly, to committee, 1110; from committee, 1502; read second time, amended, 1521; read third time, passed, to assembly, 1650; in Senate, Assembly refuses to concur in Senate amendments, Senate refuses to recede, Committee on Conference, 1963; report accepted, 1987; amendments adopted, 1073; to Assembly, 2074; Assembly adopts report-----	2131
571 From Assembly, to committee, 608; from committee, 1268; read second time, 1320; read third time, passed, to Assembly-----	1382
576 From Assembly, to committee, 1504; from committee, 1770; read second time, 1811; read third time, passed, to Assembly-----	2173
577 From Assembly, to committee, 1707; from committee, re-referred, 1830; from committee, 1886; read second time, 1894; read third time, passed, to Assembly-----	2015
578 In Senate, to committee, 1995; from committee, 2043; read second time, amended, 2048; read third time, passed, to Assembly, 2148; Assembly concurs in Senate amendments-----	2258
579 From Assembly, to committee, 379; from committee, 606; read second time, 623; read third time, passed, to Assembly-----	940
580 From Assembly, to committee, 380; from committee, 1366; read second time, 1419; read third time, passed, to Assembly-----	1486
581 From Assembly, to committee, 1006; from committee, 1366; read second time, 1419; read third time, passed, to Assembly-----	1487
582 From Assembly, to committee, 1006; from committee, 1366; read second time, 1419; read third time, passed, to Assembly-----	1487
583 In Senate, to committee, 1941; from committee, 2042; read second time, 2047; read third time, passed, to Assembly-----	2145
584 From Assembly, to committee, 869; from committee, 1666; read second time, 1719; read third time, passed, to Assembly, 1983; Assembly concurs in Senate amendments-----	2093
585 From Assembly, to committee, 869; from committee, 1666; read second time, 1719; read third time, passed, to Assembly-----	1983
586 From Assembly, to committee, 1707; from committee, 1828; read second time, amended, 1872; amended, 2033; read third time, passed, to Assembly, 2231; Assembly concurs in Senate amendments-----	2293
589 From Assembly, to committee, 574; from committee, 780; read second time, 856; read third time, passed, to Assembly-----	1042
590 From Assembly, to committee, 1263; from committee without recommendation-----	2361
592 From Assembly, to committee, 950; from committee, 1268; read second time, 1320; read third time, passed, to Assembly-----	1436
593 From Assembly, to committee, 1706; from committee, 1801; read second time, 1862; read third time, 2032; passed, to Assembly-----	2035
595 From Assembly, to committee, 1145; from committee, 1202; read second time, amended, 1229; read third time, passed, to Assembly-----	1344
597 From Assembly, to committee, 1145; from committee without recommendation-----	2361
598 From Assembly, to committee, 1145; from committee, 1247; read second time, 1282; read third time, amended, 1348; Assembly concurs in Senate amendments-----	1662
601 From Assembly, to committee, 1263; from committee, 1826; read second time, 1863; read third time, passed, to Assembly-----	2008
602 From Assembly, to committee, 1537; from committee, 1769; read second time, 1810; read third time, passed, to Assembly, 1900; Assembly concurs in Senate amendments-----	2258
603 From Assembly, to committee, 1662; from committee without recommendation-----	2361
604 From Assembly, to committee, 1389; from committee, 1769; read second time, 1810; read third time, passed, to Assembly-----	1902
605 From Assembly, to committee, 1145; from committee, 1363; read second time, 1412; read third time, passed, to Assembly-----	1607

## BILLS, ASSEMBLY Continued.

No.		PAGE
607	From Assembly, to committee, 1389; from committee, 2045; read second time, amended 2053; read third time, passed, to Assembly, 2179; Assembly concurs in Senate amendments-----	2258
608	From Assembly, to committee, 608; from committee, 1586; read second time, 1643; read third time, passed, to Assembly-----	1897
609	From Assembly, to committee, 1439; from committee, 2041; read second time, 2046; read third time, passed, to Assembly-----	2143
610	From Assembly, to committee, 1439; from committee, 2041; read second time, 2046; read third time, passed, to Assembly-----	2144
611	From Assembly, to committee, 1262; from committee, 1366; read second time, 1419; read third time, passed, to Assembly-----	1792
613	From Assembly, to committee, 1767; re-referred, 1965; from committee, 2045; read second time, 2052; read third time, passed, to Assembly-----	2177
614	From Assembly, to committee, 1175; from committee, 1306; read second time, 1322; read third time, passed, to Assembly-----	1484
615	From Assembly, to committee, 1391; from committee, 1553; read second time, 1593; read third time, 1835; passed, to Assembly-----	1836
619	From Assembly, to committee, 1388; from committee, 1582; read second time, amended, 1640; read third time, passed, to Assembly, 1850; in Senate, Assembly concurs in Senate amendments-----	1962
621	From Assembly, to committee, 1301; from committee, 1363; read second time, 1412; amended, 1618; read third time, 1790; passed, to Assembly, 1791; in Senate, Assembly concurs in Senate amendments-----	1962
622	From Assembly, to committee, 1537; from committee, 1646; read second time, 1675; read third time, passed, to Assembly-----	2030
623	From Assembly, to committee, 1439; from committee, 1586; read second time, amended, 1643; read third time, 1842; passed, to Assembly, 1843; in Senate, Assembly concurs in Senate amendments-----	1962
624	From Assembly, to committee, 575; from committee, 1082; read second time, 1135; read third time, passed, to Assembly-----	1211
627	From Assembly, to committee, 1797; from committee, 1773; read second time, 1815; read third time, passed, to Assembly-----	1900
628	From Assembly, to committee, 477; from committee, 1012; read second time, 1089; read third time, passed, to Assembly-----	1206
629	In Senate, to committee, 1995; from committee, 2022; read second time, 2024; amended, 2034; read third time, passed, to Assembly, 2064; Assembly concurs in Senate amendments-----	2093
630	From Assembly, to committee, 1262; from committee, 1462; read second time, 1481; amended, 1490; amended, 1527; to unfinished business file, 1755; amended, 1922; read third time, passed, to Assembly, 2033; Assembly concurs in Senate amendments-----	2094
631	From Assembly, to committee, 1616; from committee, 1770; read second time, 1811; read third time, passed, to Assembly-----	2058
633	From Assembly, to committee, 477; from committee, 1247; read second time, 1282; read third time, passed, to Assembly-----	2058
634	From Assembly, to committee, 477; from committee, 546; read second time, 598; read third time, passed, to Assembly-----	996
637	From Assembly, to committee, 1505; from committee, 1551; read second time, 1590; read third time, passed, to Assembly-----	1978
638	From Assembly, to committee, 1302; from committee, 1647; read second time, amended, 1676; amended, 1792; read third time, passed, to Assembly, 1846; in Senate, Assembly refuses to concur in Senate amendments, Senate refuses to recede, Committee on Conference, 1964; report accepted, 1987; amendments adopted, to Assembly, Assembly adopts amendments-----	2075
641	From Assembly, to committee, 1006; from committee, 1082; read second time, 1135; read third time, 1211; passed, to Assembly-----	1212
644	From Assembly, to committee, 1528; from committee, 1826; read second time, amended, to printer-----	1864
645	From Assembly, to committee, 1388; from committee, 1553; read second time, 1595; read third time, passed, to Assembly-----	1784
647	From Assembly, to committee, 717; from committee, 1247; read second time, 1282; read third time, passed, to Assembly-----	1377
649	From Assembly, to committee, 918; from committee, 1826; read second time, 1864; read third time, passed, to Assembly-----	2009
650	From Assembly, to committee, 1570; from committee, 2073; read second time, amended, 2164; read third time, passed, to Assembly, 2182; Assembly concurs in Senate amendments-----	2258
651	In Senate, to committee, 1941; from committee, 1993; read second time, 1999; read third time, passed, to Assembly-----	2147
652	From Assembly, to committee, 1391; from committee, 1501; read second time, 1518; amended, 1519; read third time, passed, to Assembly, 1737; in Senate, Assembly concurs in Senate amendments-----	1962



# INDEX TO SENATE JOURNAL.

2381

## BILLS, ASSEMBLY—Continued.

No.	PAGE
653 From Assembly, to committee, 917; from committee, 1826; read second time, 1864; read third time, passed, to Assembly-----	2010
654 From Assembly, to committee, 917; from committee, 1826; read second time, 1864; read third time, passed, to Assembly-----	2009
655 From Assembly, to committee, 1707; from committee, 1828; read second time, amended, 1872; read third time, passed, to Assembly, 2231; Assembly concurs in Senate amendments-----	2293
656 From Assembly, to committee, 1388; from committee, 1501; read second time, amended, 1520; read third time, passed, to Assembly, 1737; Assembly concurs in Senate amendments-----	1796
657 In Senate, to committee, 1749; from committee, 1828; read second time, amended, 1872, read third time, passed, to Assembly, 2231; Assembly concurs in Senate amendments-----	2293
658 From Assembly to committee, 574; from committee, 627; read second time, 722; read third time, passed, to Assembly-----	823
660 From Assembly, to committee, 1439; from committee, 1826; read second time, 1863; read third time, passed, to Assembly-----	2008
661 From Assembly, to committee-----	1439
662 In Senate, to committee, 1995; from committee, 2042; read second time, amended, 2047; read third time, passed, to Assembly, 2149; Assembly concurs in Senate amendments-----	2258
665 From Assembly, to committee, 831; from committee, 925; read second time, 982; read third time, amended, 1044; passed, to Assembly-----	1298
666 From Assembly, to committee, 747; from committee, 737; read second time, 761; read third time, passed, to Assembly-----	997
667 From Assembly, to committee, 1370; from committee, 2042; read second time, 2047; read third time, passed, to Assembly-----	2148
670 From Assembly, to committee, 1616; from committee, 1994; read second time, amended, 2000; read third time, passed, to Assembly, 2065; Assembly concurs in Senate amendments-----	2094
671 From Assembly to committee, 573; from committee, 995; read second time, amended, 1033; read third time, passed, to Assembly-----	1150
672 From Assembly, to committee, 1262; from committee, 1500; read second time, 1517; amended, 1734; read third time, passed, to Assembly, 1834; in Senate, Assembly concurs in Senate amendments-----	1962
673 From Assembly, to committee, 630; from committee, 1366; read second time, 1419; read third time, passed, to Assembly-----	1487
677 In Senate, to committee, 1799; from committee, re-referred, 1993, from committee, 2045; read second time, amended, 2052; read third time, passed, to Assembly, 2239; Assembly concurs in Senate amendments-----	2293
678 From Assembly, to committee, 1263; from committee, 1553; read second time, 1594; read third time, passed, to Assembly-----	1896
681 In Senate, to committee, 1881; re-referred, 1926; re-referred, 1970; from committee, 2157; read second time, 2168; read third time, amended, 2178; refused passage-----	2184
682 From Assembly, to committee, 917; from committee, 1659; read second time, 1677; read third time, 1982; passed, to Assembly-----	1983
683 From Assembly, to committee, 572; from committee, 954; read second time, 1033; read third time, passed, to Assembly-----	1149
685 In Senate, to committee, 1799; from committee without recommendation-----	2361
687 From Assembly, to committee, 869; from committee, 1566; read second time, amended, 1598; amended, 1684; read third time, passed, to Assembly, 1787; in Senate, Assembly concurs in Senate amendments-----	1962
688 From Assembly, to committee, 608; from committee, 775; read second time, 816; read third time, passed, to Assembly-----	1148
690 From Assembly, to committee, 1337; from committee, 1552; read second time, 1593; read third time, passed, to Assembly-----	1781
691 From Assembly, to committee, 922; from committee, 1552; read second time, 1593; read third time, passed, to Assembly-----	1781
692 From Assembly, to committee, 380; from committee, 1552; read second time, 1592; read third time, 1781; passed, to Assembly-----	1782
695 From Assembly, to committee, 477; from committee without recommendation-----	2361
696 From Assembly, to committee, 1538; from committee, 1646; read second time, 1675; read third time, 1916; passed, to Assembly-----	1917
700 From Assembly, to committee, 922; from committee without recommendation-----	2361
701 From Assembly, to committee, 1616; from committee, 1770; read second time, 1811; read third time, passed, to Assembly-----	1902
704 From Assembly, to committee, 608; from committee, 1366; read second time, 1419; read third time, passed, to Assembly-----	1837
706 From Assembly, to committee, 1263; from committee, 1500; read second time, 1517; read third time, passed, to Assembly-----	1735



## BILLS, ASSEMBLY—Continued.

No.	PAGE
707 From Assembly, to committee, 1263; from committee, 1552; read second time, 1593; read third time, passed, to Assembly	1782
709 From Assembly, to committee, 1370; from committee, 1578; read second time, 1638; read third time, passed, to Assembly	1980
712 From Assembly, to committee, 1369; from committee, 1552; read second time, 1593; read third time, passed, to Assembly	2057 1369
715 From Assembly, to committee	
716 From Assembly, to committee, 1663; from committee, 1926; read second time, amended, 1971; read third time, passed, to Assembly, 2037; Assembly concurs in Senate amendments	2094
717 From Assembly, to committee, 1365; from committee, 1500; read second time, 1517; read third time, passed, to Assembly	1735
718 From Assembly, to committee, 1262; from committee, 1500; read second time, 1517; read third time, passed, to Assembly	1850
728 From Assembly, to committee, 868; from committee, 1827; read second time, 1866; read third time, passed, to Assembly	2032
729 In Senate, to Committee, 1749; from committee, 1828; read second time, amended, 1873; read third time, passed, to Assembly, 2232; Assembly concurs in Senate amendments	2293
731 From Assembly, to committee, 572; from committee, 775; read second time, 816; read third time, passed, to Assembly	999
732 From Assembly, to committee, 1707; from committee, 1773; read second time, 1815; read third time, passed, to Assembly	1909
734 From Assembly, to committee, 917; from committee without recommendation	2351
735 From Assembly, to committee, 1705; from committee without recommendation	2334
736 From Assembly, to committee, 572; from committee without recommendation	2341
738 From Assembly, to committee, 950; from committee, 1172; read second time, amended, 1180; read third time, passed, to Assembly	1344
739 From Assembly, to committee, 1707; from committee, 1828; read second time, amended, 1873; amended, 2173; read third time, passed, to Assembly, 2232; Assembly concurs in Senate amendments	2293
741 From Assembly, to committee, 1145; from committee, 1500; read second time, 1517; read third time, passed, to Assembly	1735
743 From Assembly, to committee, 1145; from committee, 1500; read second time, 1517; amended, 1655; read third time, 1735; passed, to Assembly, 1736; Assembly concurs in Senate amendments	1797
744 From Assembly, to committee, 1538; from committee, 1751; read second time, 1809; read third time, 1984; passed, to Assembly	1985
748 From Assembly, to committee, 1302; from committee, 1882; read second time, 1891; read third time, passed, to Assembly	2034
749 From Assembly, to committee, 1391; from committee, 1500; read second time, 1518; read third time, passed, to Assembly	1736
751 From Assembly, to committee, 1663; from committee, 1827; read second time, 1866; read third time, passed, to Assembly	2011
757 From Assembly, to committee, 831; from committee, 1501; read second time, amended, 1520; amended, 1737; read third time, passed, to Assembly, 1895; Assembly concurs in Senate amendments	2094
758 From Assembly, to committee, 1707; from committee, 1827; read second time, amended, 1873; read third time, passed, to Assembly	2232
759 From Assembly, to committee, 1388; from committee, 1702; read second time, 1751; read third time, passed, to Assembly	1849
760 From Assembly, to committee, 1369; from committee, 1462; read second time, 1481; read third time, passed, to Assembly	1775
761 In Senate, to committee, 1800; from committee, 1827; read second time, 1866; read third time, 2058; passed, to Assembly	2059
762 In Senate, to committee, 1941; from committee, 2132; read second time, 2162; read third time, passed, to Assembly	2184
763 From Assembly, to committee, 1337; from committee, 1474; read second time, 1515; read third time, passed, to Assembly, 1729; passed, to Assembly	1730
764 From Assembly, to committee, 1570; from committee, 1666; read second time, 1719; amended, 1966; read third time, passed, to Assembly, 1983; Assembly concurs in Senate amendments	2094
765 From Assembly, to committee, 1145; from committee, 1170; read second time, 1180; amended, 1301; read third time, passed, to Assembly	1343
768 From Assembly, to committee, 1388; from committee, 1801; read second time, 1862; read third time, passed, to Assembly	2006
769 From Assembly, to committee, 413; from committee, 1268; read second time, 1320; amended, 1371; read third time, passed, to Assembly	1607

## BILLS, ASSEMBLY Continued.

No	PAGE
772 In Senate, to committee, 1941; from committee without recommendation	2361
774 In Senate, to committee, 1799; from committee, 1882; read second time, 1890; read third time, passed, to Assembly	2246
775 In Senate, to committee, 1995; read second time, amended, 2068; read third time, passed, to Assembly, 2240; Assembly concurs in Senate amendments	2293
777 From Assembly, to committee, 1708; from committee, re-referred, 1830; from committee, 1886; read second time 1894; read third time, passed, to Assembly	2140
778 In Senate, to committee, 1800; from committee, 1828; read second time, amended, 1874; read third time, passed, to Assembly, 2233; Assembly concurs in Senate amendments	2293
793 From Assembly, to committee, 1144; from committee, 1461; read second time, 1480; read third time, passed, to Assembly	1658
796 From Assembly, to committee, 608; from committee, 736; read second time, 761; read third time, passed, to Assembly	998
801 From Assembly, to committee, 608; from committee, 1265; read second time, 1317; read third time, passed, to Assembly	1380
803 In Senate, to committee, 1995; from committee, 2072; read second time, amended, 2164; read third time, 2181; passed; to Assembly, 2182; Assembly concurs in Senate amendments	2258
805 From Assembly, to committee, 1389; from committee, 1825; read second time, 1863; read third time, passed, to Assembly	2008
806 From Assembly, to committee, 1302; from committee, 1365; read second time, amended, 1416; read third time, passed, to Assembly, 1486; Assembly concurs in Senate amendments	1613
807 From Assembly, to committee, 1369; from committee, 1826; read second time, amended, 1864; amended 1967; read third time, passed, to Assembly, 2010; Assembly concurs in Senate amendments	2085
809 In Senate, to committee, 1749; re-referred, from committee; read second time, 2040; read third time, passed, to Assembly	2238
810 From Assembly, to committee, 1369; from committee, 1500; read second time, 1518; read third time, passed, to Assembly	1777
811 From Assembly, to committee, 517; from committee, 915; amended, re-referred, 945; from committee, 1266; read second time, 1317; read third time, passed, to Assembly, 1381; Assembly concurs in Senate amendments	1797
813 From Assembly, to committee, 1144; from committee, 1551; read second time, 1590; read third time, passed, to Assembly	1779
819 From Assembly, to committee, 951; from committee, 1268; read second time, 1320; read third time, passed, to Assembly	1436
826 In Senate, to committee, 1881; from committee, 2046; read second time, amended, 2055; read third time, passed, to Assembly, 2239; Assembly concurs in Senate amendments	2294
827 In Senate, to committee, 1996; from committee, 2252; read second time, amended, 2253; read third time, passed, to Assembly	2289
828 From Assembly, to committee, 1144; from committee, 1366; read second time, 1420; amended, 1497; read third time, passed, to Assembly, 1654; Assembly concurs in Senate amendments	1797
829 From Assembly, to committee, 1006; from committee, 1550; read second time, amended, 1590; read third time, passed, to Assembly, 1978; Assembly concurs in Senate amendments	2095
830 In Senate, to committee, 1996; from committee without recommendation	2356
832 From Assembly, to committee, 824; from committee, 1061; read second time, 1131; read third time, passed, to Assembly	1379
834 From Assembly, to committee, 824; from committee, 1060; read second time, 1131; read third time, passed, to Assembly	1787
835 From Assembly, to committee, 739; from committee, 1061; read second time, 1131; read third time, passed, to Assembly	1379
836 From Assembly, to committee, 951; from committee, 1060; read second time, amended, 1130; read third time, passed, to Assembly, 1379; Assembly concurs in Senate amendments	1613
837 From Assembly, to committee, 1006; from committee, 1268; read second time, amended, 1320; read third time, passed, to Assembly, 1482; Assembly concurs in Senate amendments	1613
839 From Assembly, to committee, 1439; from committee, 1550; read second time, 1589; read third time, passed, to Assembly	1915
841 From Assembly, to committee, 477; from committee, 535; read second time, 598; read third time, passed, to Assembly	623
842 From Assembly, to committee, 412; from committee, 1012; read second time, 1089; read third time, passed, to Assembly	1206
843 From Assembly, to committee, 412; from committee, 1012; read second time, 1089; read third time, passed as amended, to Assembly	1206

## BILLS, ASSEMBLY—Continued.

No.	PAGE
844 From Assembly, to committee, 1302; from committee, 1366; read second time, 1420; read third time, passed, 1487; to Assembly-----	1488
851 From Assembly, to committee, 573; from committee, 1550; read second time, 1589; read third time, passed, to Assembly-----	1738
852 From Assembly, to committee, 575; from committee, 1550; read second time, 1589; read third time, passed, to Assembly-----	1738
853 From Assembly, to committee, 575; from committee, 1550; read second time, 1590; read third time, 1744; passed, to Assembly-----	1745
854 From Assembly, to committee, 575; from committee without recommendation-----	2337
858 From Assembly, to committee, 739; from committee, 1502; read second time, 1521; read third time, 1777; passed, to Assembly-----	1778
859 From Assembly, to committee, 573; from committee without recommendation-----	2351
860 From Assembly, to committee, 735; from committee, 1502; read second time, 1521; read third time, passed, to Assembly-----	1778
861 From Assembly, to committee, 1369; from committee, 2043; read second time, 2050; read third time, passed, to Assembly-----	2153
862 From Assembly, to committee, 922; from committee, 2043; read second time, 2050; read third time, passed, to Assembly-----	2153
863 From Assembly, to committee, 573; from committee, 1009; read second time, 1084; read third time, passed, to Assembly-----	1204
864 From Assembly, to committee, 573; from committee without recommendation-----	2356
865 From Assembly, to committee, 573; from committee, 1009; read second time, 1084; read third time, passed, to Assembly-----	1205
866 From Assembly, to committee, 1144; from committee, 1367; read second time, 1421; read third time, passed, to Assembly-----	1489
867 From Assembly, to committee, 1357; from committee, 1581; read second time, 1682; read third time, passed, to Assembly-----	1840
869 From Assembly, to committee, 1538; from committee, 1856; read second time, 1889; amended, 2157; read third time, passed, to Assembly, 2245; Assembly concurs in Senate amendments-----	2294
870 From Assembly, to committee, 1144; from committee, 1266; read second time, read third time, passed, to Assembly-----	1482
873 From Assembly, to committee, 739; from committee, 1502; read second time, 1521; read third time, passed, to Assembly-----	1778
874 In Senate, to committee, 1749; from committee, 1925; read second time, 1971; read third time, passed, to Assembly-----	2026
881 In Senate, to committee, 1749; from committee, 1827; read second time, amended, 1874; read third time, passed, to Assembly, 2233; Assembly concurs in Senate amendments-----	2294
882 From Assembly, to committee, 1708; from committee, 1774; read second time, 1815; read third time, 1909; passed, to Assembly-----	1910
883 From Assembly, to committee, 517; from committee, 1202; read second time, 1229; read third time, passed, to Assembly-----	1344
886 From Assembly, to committee, 1617; from committee, 1771; read second time, 1811; read third time, passed, to Assembly-----	1912
887 From Assembly, to committee, 1617; from committee, 1771; read second time, 1811; read third time, passed, to Assembly-----	1912
888 From Assembly, to committee, 830; from committee, 1049; read second time, 1135; amended, 1256; read third time, passed, to Assembly-----	1340
889 From Assembly, to committee, 1369; from committee, 1462; read second time, 1482; amended, 1611; read third time, 1914; passed, to Assembly, 1915; Assembly concurs in Senate amendments-----	2094
892 From Assembly, to committee-----	1708
895 From Assembly, to committee, 1302; from committee, 1553; read second time, amended, 1594; read third time, passed, to Assembly, 1784; in Senate, Assembly concurs in Senate amendments-----	1962
897 From Assembly, to committee, 573; from committee, 1049; read second time, amended, 1089; read third time, passed, to Assembly-----	1207
899 From Assembly, to committee, 831; from committee, 1108; read second time, amended, 1133; amended, 1851; read third time, passed, to Assembly, 1979; Assembly concurs in Senate amendments-----	2094
900 From Assembly, to committee, 1302; from committee, 1367; read second time, 1420; read third time, passed, to Assembly-----	1488
901 In Senate, to committee, 1941; from committee, 2043; read second time, 2050; read third time, passed, to Assembly-----	2154
907 In Senate, to committee, 1941; from committee, 2043; amended, re-referred, 2050; from committee, 2143; read second time, amended, 2165; read third time, passed, to Assembly, 2223; Assembly concurs in Senate amendments-----	2294



BILLS, ASSEMBLY—Continued.

No.		PAGE
908	From Assembly, to committee, 739; from committee, 1268; read second time, 1320; read third time, passed, to Assembly	1979
913	From Assembly, to committee, 609; from committee, 857; read second time, 902; read third time, passed, to Assembly	1043
915	From Assembly, to committee, 1005; from committee, 1060; read second time, 1131, amended, 1212; read third time, passed, to Assembly	2173
916	From Assembly, to committee, 609; from committee, 1060; read second time, 1131; read third time, amended, 1212; passed, to Assembly	1298
918	From Assembly, to committee, 1143; from committee, 1461; read second time, 1589; read third time, passed, to Assembly	1916
920	In Senate, to committee, 1749; from committee, 1964; re-referred, 1976; from committee, 2044; read second time, 2051; read third time, passed, to Assembly, 2239; Assembly concurs in Senate amendments	2294
921	From Assembly, to committee, 1504; from committee, 1687; read second time, 1719; read third time, passed, to Assembly	1984
924	In Senate, to committee, 1996; from committee, 2041; read second time, amended, 2046; read third time, passed, to Assembly, 2144; Assembly concurs in Senate amendments	2258
925	From Assembly, to committee, 1617; from committee, 2043; read second time, 2050; re-referred, 2175; from committee without recommendation	2354
926	From Assembly, to committee, 630; from committee, 737; read second time, 761; read third time, passed, to Assembly	827
928	From Assembly, to committee, 1262; from committee, 1397; read second time, 1454; read third time, passed, to Assembly	1495
930	From Assembly, to committee, 1161; from committee, 1367; read second time, 1421; read third time, passed, to Assembly	1489
932	In Senate, to committee, 1798; from committee, 1856; read second time, 1889; read third time, passed, to Assembly	2034
934	From Assembly, to committee, 922; from committee, 1365; read second time, 1416; read third time, passed, to Assembly	1608
938	From Assembly, to committee, 630; from committee, 1217; read second time, 1282; read third time, passed, to Assembly	1377
939	From Assembly, to committee, 739; from committee, 1108; read second time, amended, 1133; read third time, passed, to Assembly	1300
940	From Assembly, to committee, 950; from committee, 1883; read second time, 1896; read third time, passed, to Assembly	2019
942	From Assembly, to committee, 739; from committee, 1268; read second time, 1320; amended, 1383; amended, 1651; read third time, passed, to Assembly, 1790; in Senate, Assembly concurs in Senate amendments	1963
943	From Assembly, to committee, 574; from committee, 1246; read second time, 1281; read third time, passed, to Assembly	1376
944	From Assembly, to committee, 477; from committee, 1268; read second time, 1320; read third time, passed, to Assembly	1383
948	From Assembly, to committee, 1708; from committee, 1827; read second time, amended, 1874; read third time, passed, to Assembly, 2233; Assembly concurs in Senate amendments	2294
949	From Assembly, to committee, 573; from committee, 1243; read second time, 1280; read third time, passed, to Assembly	1374
956	From Assembly, to committee, 516; from committee, 857; read second time, 903; read third time, passed, to Assembly	1043
957	From Assembly, to committee, 517; from committee, 858; read second time, amended, 903; read third time, passed, to Assembly	1044
958	From Assembly, to committee, 1708; re-referred, 1965; from committee, 1968; read second time, 1976; read third time, passed, to Assembly, 2055; Assembly concurs in Senate amendments	2095
959	In Senate, to committee, 1880; from committee, 2121; read second time, amended, 2161; read third time, passed, to Assembly, 2183; Assembly concurs in Senate amendments	2258
961	From Assembly, to committee, 1363; from committee, 2022; read second time, 2024; read third time, passed, to Assembly	2065
962	Governor recommends passage, 354; from Assembly, to committee, 413; from committee, 433; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third time, passed, to Assembly	434
963	Governor recommends passage, 354; from Assembly, to committee, 413; from committee, 435; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third time, passed, to Assembly	435
964	Governor recommends passage, 354; from Assembly to committee, 413; from committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third time, passed, to Assembly	436
965	Governor recommends passage, 354; from Assembly, to committee, 413; from committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third time, passed, to Assembly	432



## BILLS, ASSEMBLY- Continued.

No.	PAGE
966 Governor recommends passage, 354; from Assembly, to committee, 442; from committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, 472; read second and third time, passed, to Assembly, 473; Assembly concurs in amendments-----	519
967 Governor recommends passage, 354; from Assembly, to committee, 442; from committee, 472; made case of urgency, Art. 4, Sec. 15 of constitution suspended, 473; read second and third time, passed, to Assembly, 474; Assembly concurs in amendments-----	519
968 Governor recommends passage, 354; from Assembly, to committee, 442; from committee, 472; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third time, passed, to Assembly-----	475
969 Governor recommends passage, 354; from Assembly, to committee, 442; from committee, 422; made case of urgency, Art. 4, Sec. 15 of constitution suspended; read second and third time, passed, 476; to Assembly-----	477
970 From Assembly, to committee, from committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, 361; read second and third time, passed, to Assembly-----	362
974 From Assembly, to committee, 1143; from committee, 1246; read second time, 1281; read third time, passed, to Assembly-----	1376
975 From Assembly, to committee, 1143; from committee, 1246; read second time, 1281; read third time, passed, to Assembly-----	1376
980 From Assembly, to committee, 717; from committee, 1646; read second time, 1675; read third time, passed, to Assembly-----	1845
981 From Assembly, to committee, 717; from committee, 1367; read second time, 1420; read third time, passed, to Assembly-----	1653
982 From Assembly, to committee, 716; from committee, 1646; read second time, 1675; read third time, passed, to Assembly-----	1845
983 From Assembly, to committee, 716; from committee, 1367; read second time, 1420; read third time, passed, to Assembly-----	1653
984 From Assembly, to committee, 716; from committee, 1367; read second time, 1420; read third time, passed, to Assembly-----	1654
985 From Assembly, to committee, 716; from committee, 1367; read second time, 1420; read third time, passed, to Assembly-----	1654
986 From Assembly, to committee, 716; from committee, 1367; read second time, 1421; read third time, passed, to Assembly-----	1654
990 From Assembly, to committee, 1439; from committee, 1647; read second time, 1675; read third time, passed, to Assembly-----	1845
991 From Assembly, to committee, 717; from committee, 1647; read second time, 1675; read third time, passed, to Assembly-----	1846
992 In Senate, to committee, 1798; from committee, 1920; read second time, 1922; read third time, passed, to Assembly-----	2035
993 From Assembly, to committee, 922; from committee, 1246; read second time, passed, to Assembly-----	1787
994 From Assembly, to committee, 1538; from committee, 1647; read second time, 1675; amended, 1742; read third time, passed, to Assembly, 1846; Assembly concurs in Senate amendments-----	1962
997 In Senate, to committee, 1941; from committee, 2132; read second time, 2162; read third time, passed, to Assembly-----	2184
998 From Assembly, to committee, 1388; from committee, 1826; read second time, amended, 1864; read third time, passed, to Assembly, 2010; Assembly concurs in Senate amendments-----	2094
999 From Assembly, to committee, 868; from committee, 1461; read second time, 1481; read third time, passed, to Assembly-----	1658
1000 From Assembly, to committee, 1262; from committee, 1825; read second time, 1863; read third time, passed, to Assembly-----	2018
1001 From Assembly, to committee, 922; from committee, 1010; read second time, 1085; read third time, passed, to Assembly-----	1255
1002 From Assembly, to committee, 1262; from committee without recommendation-----	2361
1006 From Assembly, to committee, 868; from committee, 1108; read second time, amended, 1133; amended, 1258; amended, 1472; amended, 1531; read third time, passed, to Assembly, 1607; Assembly concurs in Senate amendments-----	1662
1012 In Senate, to committee, 1996; from committee without recommendation-----	2350
1015 In Senate, to committee, 1941; from committee without recommendation-----	2361
1019 From Assembly, to committee, 831; from committee, 1002; read second time, 1034; read third time, passed, to Assembly-----	1204
1020 From Assembly, to committee, 609; from committee, 775; read second time, 816; read third time, passed, to Assembly-----	1046
1023 From Assembly, to committee, 1143; from committee, 1585; read second time, 1642; read third time, passed, to Assembly-----	1842
1024 From Assembly, to committee, 1663; from committee, read second time 2027; read third time, passed, to Assembly-----	2141

# INDEX TO SENATE JOURNAL.

2387

## BILLS, ASSEMBLY—Continued.

No.		PAGE
1025	From Assembly, to committee, 1663; from committee, read second time, 2027; read third time, passed, to Assembly-----	2141
1027	From Assembly, to committee, 1337; from committee, 1579; read second time, 1638; read third time, 1839; passed, to Assembly-----	1840
1031	In Senate, to committee, 1996; from committee 2132; read second time, amended, 2162; passed, to Assembly, 2184; Assembly concurs in Senate amendments-----	2258
1033	From Assembly, to committee, 477; from committee, 627; read second time, 722; read third time, passed, to Assembly-----	767
1036	From Assembly, to committee, 1144; from committee without recommendation-----	2334
1038	From Assembly, to committee, 917; from committee, 1826; read second time, 1864; read third time, passed, to Assembly-----	2009
1041	From Assembly, to committee, 1664; from committee, 1825; read second time, 1863; read third time, passed, to Assembly-----	2007
1043	From Assembly, to committee, 1369; from committee without recommendation-----	2361
1044	In Senate, to committee, 1942; from committee, 2043; read second time, amended 2049; read third time, passed, to Assembly, 2149; Assembly concurs in Senate amendments-----	2258
1045	From Assembly, to committee, 1388; from committee, 1771; read second time, amended, 1812; read third time, passed, to Assembly, 2032; Assembly concurs in Senate amendments-----	2094
1047	In Senate, to committee, 1798; from committee, 1882; read second time, 1890; re-referred, 2237; from committee without recommendation-----	2351
1048	In Senate, to committee, 1798; from committee, 1882; re-referred, 2237; from committee without recommendation-----	2351
1051	In Senate, to committee, 1098; from committee, 1882; read second time, 1890; re-referred, 2237; from committee without recommendation-----	2351
1052	From Assembly, to committee, 831; from committee, 1462; read second time, 1482; read third time, passed, to Assembly-----	1776
1056	In Senate, to committee, 1880; from committee, 2045; read second time, 2052; read third time, passed, to Assembly-----	2177
1058	In Senate, to committee, 1996; from committee, 2072; read second time, 2164; read third time, passed, to Assembly-----	2182
1059	In Senate, to committee, 1749; from committee without recommendation-----	2341
1060	In Senate, to committee, 1996; from committee, 2023; read second time, amended, 2025; read third time, passed, to Assembly, 2235; Assembly concurs in Senate amendments-----	2294
1061	From Assembly, to committee, 413; from committee, 737; read second time, 761; read third time, passed, to Assembly-----	997
1062	From Assembly, to committee, 413; from committee, 737; read second time, 761; read third time, passed, to Assembly-----	998
1063	From Assembly, to committee, 517; from committee, 737; read second time, 761; read third time, passed, to Assembly-----	998
1064	From Assembly, to committee, 950; from committee, 1502; read second time, 1521; read third time, passed, to Assembly-----	2029
1065	From Assembly, to committee, 1337; from committee, 1581; read second time, 1639; re-referred-----	2140
1067	From Assembly, to committee, 1302; from committee, 2157; read second time, amended, 2165; read third time, 2290; passed, to Assembly-----	2291
1068	From Assembly, to committee, 1570; from committee, 1617; read second time, 1673; read third time, passed, to Assembly-----	1843
1069	From Assembly, to committee, 1143; from committee without recommendation-----	2340
1070	From Assembly, to committee, 1708; from committee, 1774; read second time 1815; read third time, passed, to Assembly-----	1910
1075	From Assembly, to committee, 1439; from committee 1500; read second time 1518; amended, 2002; amended, 2156; read third time passed, to enrollment 2245; Assembly concurs in Senate amendments-----	2294 1538
1076	From Assembly, to committee-----	
1077	From Assembly, to committee, 831; from committee, 875; read second time, 945; read third time, passed, to Assembly-----	1050
1079	In Senate, to committee, 1749; from committee, 1886; read second time, 1894; read third time, passed, to Assembly-----	2061
1080	In Senate, to committee, 1996; from committee, 2062; read second time, amended, 2070; read third time, passed, to Assembly, 2181; Assembly concurs in Senate amendments-----	2258
1081	From Assembly, to committee, 1302; from committee, 1500; read second time, 1518; read third time, passed, to Assembly-----	1755
1082	From Assembly, to committee, 517; from committee, 1214; read second time, 1232; read third time, passed, to Assembly-----	1384

## BILLS, ASSEMBLY Continued.

No.	Page
1090 From Assembly, to committee, 573; from committee without recommendation	2362
1091 From Assembly, to committee, 1302; from committee, 1802; read second time, 1862; amended, 1967; read third time, passed, to Assembly, 2006; Assembly concurs in Senate amendments	2094
1092 From Assembly, to committee, 177; from committee, read second time, 2027; read third time, passed, to Assembly	2142
1095 From Assembly, to committee, 868; from committee, 1247; read second time, 1282; read third time, passed, to Assembly	1376
1100 From Assembly, to committee, 1708; from committee, 1827; read second time, amended, 1874; amended, 2012; read third time, passed, to Assembly, 2234; Assembly concurs in Senate amendments	2294
1101 From Assembly, to committee, 1504; from committee without recommendation	2351
1106 From Assembly, to committee, 1369; from committee, 1801; read second time, 1862; read third time, passed, to Assembly	2020
1110 From Assembly, to committee, 1765; from committee without recommendation	2362
1112 From Assembly, to committee, 868; from committee, 1002; read second time, 1033; read third time, passed, to Assembly	1203
1113 From Assembly, to committee, 1218; from committee, 1411; read second time, 1455; read third time, passed, to Assembly	1496
1119 From Assembly, to committee, 1218; from committee, 1411; read second time, 1455; read third time, passed, to Assembly	1496
1120 From Assembly, to committee, 1439; from committee, 1586; read second time, amended, 1643; amended, 1731; read third time, passed, to Assembly, 1982; Assembly concurs in Senate amendments	2095 1996
1221 In Senate, to committee	
1125 From Assembly, to committee, 1439; from committee, 1617; read second time, 1673; read third time, passed, to Assembly	1843
1127 From Assembly, to committee, 1143; from committee, 1500; read second time, 1641; read third time, passed, to Assembly	1736
1128 From Assembly, to committee, 1708; from committee, 1827; read second time 1889; read third time, passed, to Assembly	2012
1129 From Assembly, to committee, 1337; from committee, 1702; read second time, amended, 1751; read third time, passed, to Assembly	1899
1130 From Assembly, to committee, 824; from committee, 2158; read second time, amended, 2159; amended, 2221; read third time, passed, to Assembly, 2290; Assembly concurs in Senate amendments	2315
1134 From Assembly, to committee, 825; from committee, 2158; read second time, 2168; read third time, passed, to Assembly	2223
1135 From Assembly, to committee, 868; from committee, 1305; read second time, amended, 1322; read third time, passed, to Assembly	1383
1137 From Assembly, to committee, 1439; from committee, 1647; read second time, 1676; read third time, passed, to Assembly	1847
1146 In Senate, to committee, 1798; from committee, 2043; read second time, amended, 2049; read third time, passed, to Assembly, 2153; Assembly concurs in Senate amendments	2259
1148 From Assembly, to committee, 362; from committee, 414; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second time, 414; read third time, passed, to Assembly	415
1151 From Assembly, to committee, 574; from committee, 780; read second time, amended, 856; read third time, passed, to Assembly	1047
1152 From Assembly, to committee, 1708; from committee, 1827; read second time, amended, 1875; read third time, passed, to Assembly, 2234; Assembly concurs in Senate amendments	2307
1153 From Assembly, to committee, 1708; from committee, 1774; read second time, 1815; read third time, passed, to Assembly	1910
1156 From Assembly, to committee, 922; from committee, 1601; read second time, 1644; read third time, passed, to Assembly	1897
1157 From Assembly, to committee, 1388; from committee, 1500; read second time, 1519; read third time, passed, to Assembly	1737
1158 From Assembly, to committee, 1262; from committee, 1334; read second time, 1412; read third time, passed, to Assembly	1484
1160 From Assembly, to committee, 1143; from committee, 1411; read second time, 1455; read third time, 1916; passed, to Assembly	1917
1161 From Assembly, to committee, 630; from committee, 925; read second time, 982; read third time, passed, to Assembly	1050
1162 From Assembly, to committee, 950; from committee, 2158; read second time, 2160; re-referred, 2224; from committee without recommendation	2338
1163 From Assembly, to committee, 1369; from committee, 2073; read second time, amended, 2165; read third time, passed, to Assembly	2183
1166 From Assembly, to committee, 630; from committee, 2062; read second time, 2069; read third time, passed, to Assembly	2180



## BILLS, ASSEMBLY—Continued.

No.	PAGE
1167 From Assembly, to committee, 1302; from committee, 2041; read second time, 2046; read third time, passed, notice of reconsideration, to Assembly-----	2143
1169 In Senate, to committee, 1749; from committee, 2044; read second time, 2051; read third time, 2155; passed, to Assembly-----	2156
1170 From Assembly, to committee, 1336; from committee, 1475; read second time, 1515; read third time, passed, to Assembly-----	1730
1172 From Assembly, to committee, 1336; from committee, 1502; read second time, 1521; read third time, passed, to Assembly-----	1778
1175 From Assembly, to committee, 1708; from committee, 1774; read second time, 1814; read third time, passed, to Assembly-----	1912
1176 From Assembly, to committee, 868; from committee, 1049; read second time, 1080; read third time, passed, to Assembly-----	1206
1178 From Assembly, to committee, 1261; from committee, 1553; read second time, amended, 1595; read third time, amended, passed, to Assembly, 1684; in Senate, Assembly concurs in Senate amendments-----	1961
1179 To Senate, to committee, 1798; from committee, 1885; read second time, 1893; read third time, passed, to Assembly-----	2014
1184 From Assembly, to committee, 868; from committee, 1202; read second time, 1227; read third time, passed, to Assembly-----	1373
1185 From Assembly, to committee, 1261; from committee, 1460; read second time, 1480; read third time, passed, to Assembly-----	1657
1186 From Assembly, to committee, 1708; from committee, 1774; read second time, 1815; read third time, passed, to Assembly-----	1910
1189 From Assembly, to committee, 1538; from committee, 1646; read second time, 1674; read third time, passed, to Assembly-----	1844
1190 From Assembly, to committee, 1175; from committee, 2042; read second time, 2047; read third time, passed, to Assembly-----	2150
1192 From Assembly, to committee, 1708; from committee, 1774; read second time, 1815; read third time, passed, to Assembly-----	1911
1193 From Assembly, to committee, 1005; from committee, 1583; read second time, amended, 1641; read third time, 1841; passed, to Assembly, 1842; Assembly concurs in Senate amendments-----	1963
1194 From Assembly, to committee, 1336; from committee, 1411; read second time, amended, 1454; Assembly concurs in Senate amendments-----	1797
1196 From Assembly, to committee, 1303; from committee, 1500; read second time, 1518; read third time, passed, to Assembly-----	1835
1197 From Assembly without reference to committee, 1603; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second time, read third time, passed, to Assembly-----	1605
1199 In Senate, to committee, 1799; from committee without recommendation-----	2332
1200 From Assembly, to committee, 1336; from committee, 1645; read second time, 1673; read third time, passed, to Assembly-----	1897
1201 From Assembly, to committee, 1303; from committee, 1582; read second time, amended, 1639; amended, 1792; read third time, passed, to Assembly, 1916; Assembly concurs in Senate amendments-----	2083
1202 From Assembly, to committee, 1708; from committee, re-referred, 1830; from committee, 1886; read second time, 1894; read third time, passed, to Assembly-----	2015
1203 From Assembly, to committee, 1705; from committee, 1774; read second time, 1815; read third time, passed, to Assembly-----	1911
1204 From Assembly, without reference to committee, 1604; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second time, read third time, passed, to Assembly-----	1606
1206 In Senate, to committee; from committee, 1827; read second time, amended, 1875; read third time, passed, to Assembly, 2234; Assembly concurs in Senate amendments-----	2294
1207 From Assembly, to committee, 1303; from committee, 1687; read second time, 1719; read third time, passed, to Assembly-----	1984
1208 From Assembly, to committee, 1706; from committee, 1882; read second time, 1890; amended, 2018; amended, 2057; read third time, passed, to Assembly, 2152; Assembly concurs in Senate amendments-----	2259
1209 From Assembly, to committee, 1504; from committee, 1554; read second time, amended, 1597; amended, 1785; read third time, passed, to Assembly-----	1978
1210 In Senate, to committee, 1746; from committee, 1773; read second time, 1814; read third time, passed, to Assembly-----	2005
1212 From Assembly, to committee, 1663; from committee, 2043; read second time, 2050; read third time, passed, to Assembly-----	2154
1215 From Assembly, to committee, 1261; from committee, 1443; re-referred, 1321; from committee, 1648; read second time, 1676; amended, 1666; read third time, passed, to Assembly, 1847; in Senate, Assembly concurs in Senate amendments-----	1962



## BILLS, ASSEMBLY-- Continued.

No.	PAGE
1216 From Assembly, to committee, 1391; from committee, 1550; read second time, 1590; read third time, passed, to Assembly-----	1739
1217 From Assembly, to committee, 1336; from committee, 1364; amended, re-referred, 1413; from committee, 1550; read second time, 1590; amended, 1631; read third time, passed, to Assembly, 1780; Assembly concurs in Senate amendments-----	1962
1219 From Assembly, to committee, 1617; from committee, 1666; read second time, 1719; read third time, passed, to Assembly-----	1848
1221 From Assembly, to committee, 1996; from committee, 2064; read second time, 2133; read third time, 2236; refused passage-----	2240
1222 From Assembly, to committee, 1303; from committee, 1411; read second time, 1455; amended, 1609; read third time, passed, to Assembly, 1838; in Senate, Assembly concurs in Senate amendments-----	1963
1223 From Assembly, to committee, 1391; from committee, 1965; read second time, 1976; read third time, passed, to Assembly-----	2039
1224 In Senate, to committee, 1996; from committee, 2044; read second time, 2051; read third time, 2175; passed, to Assembly-----	2176
1227 From Assembly, to committee, 1504; from committee, 1549; read second time, 1589; read third time, passed, to Assembly-----	2225
1229 From Assembly, to committee, 1708; from committee, 1886; read second time, 1894; read third time, passed, to Assembly, 2014; Assembly concurs in Senate amendments-----	2083
1230 From Assembly, to committee, 1336; from committee, 1687; read second time, 1719; read third time, passed, to Assembly-----	1848
1231 From Assembly, to committee, 1336; from committee, 1498; read second time, 1515; read third time, passed, to Assembly-----	1700
1232 From Assembly, to committee, 1388; from committee, 1645; read second time, 1673; amended, 1744; read third time, passed, to Assembly, 1982; Assembly concurs in Senate amendments-----	2095
1234 From Assembly, to committee, 1708; from committee, 1827; read second time, 1889; read first time, passed, to Assembly-----	2012
1236 From Assembly, to committee, 1708; from committee, re-referred, 1829; from committee, 1886; read second time, 1894; read third time, 2014; passed, to Assembly-----	2015
1237 From Assembly, to committee, 1303; from committee, 1411; read second time, 1455; read third time, passed, to Assembly-----	1656
1238 From Assembly, to committee, 1504; from committee, 1554; read second time, 1597; read third time, passed, to Assembly-----	1785
1239 From Assembly, to committee, 1708; from committee, 1827; read second time, 1875; amended, 1875; read third time, passed, to Assembly, 2234; Assembly concurs in Senate amendments-----	2307
1242 In Senate, to committee, 1748; from committee, 1829; amended, 1830; from committee, 1885; read second time, 1893; amended, 2003; read third time, passed, to Assembly, 206; Assembly concurs in Senate amendments-----	2094
1243 In Senate, to committee, 1799; from committee-----	2188
1244 In Senate, to committee, 1942; from committee, 2072; read second time, 2164; read third time, passed, to Assembly-----	2181
1245 From Assembly, to committee, 1388; from committee, 1501; read second time, 1520; amended, 1520; read third time, passed, to Assembly, 1738; Assembly concurs in Senate amendments-----	1797
1246 From Assembly, to committee, 1663; from committee, 1885; read second time, 1893; read third time, passed, 2237; to assembly-----	2238
1247 From Assembly, to committee, 1439; from committee, 1561; read second time, 1598; amended, 1896; read third time, passed, to Assembly, 2017; Assembly concurs in Senate amendments-----	2095
1248 From Assembly, to committee, 1708; from committee, 1774; read second time, 1816; read third time, passed, to Assembly-----	1911
1249 From Assembly, to committee, 1705; from committee, 1830; read second time, amended, 1876; read third time, passed, to Assembly-----	2059
1250 From Assembly, to committee, 1708; from committee, 1774; read second time, 1816; read third time, passed, to Assembly-----	1911
1251 In Senate, to committee, 1748; from committee, re-referred, 1883; from committee, 2045; read second time, 2052; read third time, passed, to Assembly-----	2177
1253 From Assembly, to committee, 1539; from committee, 1687; read second time, amended, 1720; read third time, passed, to Assembly, 1849; Assembly concurs in Senate amendments-----	1963
1254 From Assembly, to committee, 1663; from committee, 1771; read second time, 1811; read third time, passed, to Assembly-----	2031
1256 In Senate, to committee, 1996; from committee, re-referred, 2149; from committee, 2159; read second time, 2160; amended, 2161; read third time, passed, to Assembly, 2224; Assembly concurs in Senate amendments-----	2307

## BILLS, ASSEMBLY—Continued.

No.		PAGE
1257	From Assembly, to committee, 1663; from committee, 1769; read second time, 1810; read third time, passed, to Assembly	2031
1258	From Assembly, to committee, 1708; from committee, 1774; read second time, 1816; read third time, passed, to Assembly	1912
1259	From Assembly, to committee, 1538; from committee, 1687; read second time, 1720; amended, 1768; read third time, passed, to Assembly, 1848; in Senate, Assembly concurs in Senate amendments	1963
1260	From Assembly, to committee, 1705; from committee, 1802; read second time, 1863; read third time, passed, to Assembly	2007
1262	In Senate, to committee, 1942; from committee, 2044; read second time, 2050; read third time, 2154; passed, to Assembly	2155
1263	From Assembly, 1491; made case of urgency, Art. 4, Sec. 15 of constitution suspended, 1491; read first and second times, 1492; read third time, passed, to Assembly	1529
1264	From Assembly, 1491; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read first and second times, amended, 1492; read third time, passed, to Assembly	1530
1265	From Assembly, 1491; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read first and second times, 1492; amended, 1529; amended, 1543; read third time, 1548; passed, notice to reconsider, 1549; reconsideration refused, to Assembly	1579
1266	From Assembly, 1491; made case of urgency, Art. 4, Sec. 15 of constitution suspended, 1492; read first and second times, amended, 1493; read third time, passed, to Assembly	1530
1267	In Senate, to committee, 1799; from committee, 1993; read second time, 1999; re-referred	2289
1270	In Senate, to committee	1799
1271	From Assembly, to committee, 1765; from committee, 1884; read second time, 1893; read second, amended, 2025; read third time, passed, to Assembly, 2035; Assembly concurs in Senate amendments	2259
1272	In Senate, to committee, 1880; re-referred, 1926; re-referred, from committee, 2040; read third time, passed, to Assembly	2142
1274	In Senate, to committee, 1799; from committee, 1925; read second time, 1971; read third time, passed, to Assembly	2036
1275	In Senate, to committee, 1942; from committee, 2045; read second time, 2051; read third time, passed, to Assembly	2176
1276	In Senate, to committee, 1799; from committee, 1925; read second time, 1971; read third time, passed, to Assembly	2026
1279	In Senate, to committee, 1942; from committee, 1993; read second time, 1999; read third time, passed, to Assembly	2056
1280	In Senate, to committee, 1831; from committee, 1856; read second time, 1890; read third time, passed, to Assembly	2013
1281	In Senate, to committee, 1942; from committee, 1993; read second time, 1999; read third time, passed, to Assembly	2066
1283	In Senate, to committee, 2075; from committee, 2132; read second time, 2162; read third time, passed, to Assembly	2222
1284	In Senate, to committee, 1942; from committee, re-referred, 2062; from committee, 2133; read second time, 2162; Assembly concurs in Senate amendments	2259
1285	In Senate, to committee, 1943; from committee, 2044; read second time, 2050; read third time, passed, to Assembly, 2155; Assembly concurs in Senate amendments	2259
1286	In Senate, to committee, 1996; from committee, 2042; read second time, 2047; read third time, passed, to Assembly	2148
1287	In Senate, to committee, 1996; from committee, 2023; read second time, amended, 2025; read third time, passed, to Assembly, 2235; Assembly concurs in Senate amendments	2307
1288	In Senate, to committee, 1943; from committee, 2063; read second time, amended, 2068; read third time, passed, to Assembly, 2180; Assembly concurs in Senate amendments	2259
1289	In Senate, to committee, 1996; from committee, 2063; read second time, 2069; read third time, passed, to Assembly	2181
1290	In Senate, to committee, 1996; from committee without recommendation	2362
1291	In Senate, to committee, 2076; from committee, 2083; read second time, read third time, passed, to Assembly, 2224; Assembly concurs in Senate amendments	2294
1292	In Senate, to committee, 1996; from committee, 2044; read second time, 2051; read third time, passed, to Assembly	2175
1293	In Senate, to committee, 1996; from committee, 2042; read second time, 2047; read third time, passed, to Assembly	2238

## BILLS, SENATE.

No.	PAGE
1 Introduced, without reference to committee, 51; made case of urgency, read second and third times, to Assembly, 52; passed, in Senate, to enrollment, 66; to Governor, 130; veto by Governor, 140; sustained, 141	141
2 Introduced, 78; from committee, 1587; read second time, amended, 1626; read third time, passed, to Assembly, 1725; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2260; to Governor -----	2324
3 Introduced, 78; from committee, amended, 270; re-referred to committee, 271; from committee, 383; read second time, 401; read third time, passed, to Assembly, 1677; passed, in Senate, to enrollment, 2189; to Governor -----	2320
4 Introduced, 78; from committee without recommendation -----	2344
5 Introduced, 78; from committee, 860; read second time, amended, 887; read third time, passed, to Assembly, 1096; passed, in Senate, to enrollment, 1945; to Governor -----	2137
6 Introduced, 79; from committee, 357; re-referred, 372; from committee, 480; read second time, amended, 495; read third time, passed, to Assembly, 591; passed as amended, in Senate, Senate concurs in Assembly amendments, 1748; to enrollment, to Governor -----	1925
7 Introduced, 79; from committee without recommendation -----	2357
8 Introduced, 79; from committee, 358; read second time, 373; read third time, passed, to Assembly, 406; passed, in Senate, 920; to enrollment, 920; to Governor -----	1114
9 Introduced, 79; from committee, 350; read second time, 366; passed on file, 376; read third time, 396; passed, to Assembly, 397; passed, in Senate, to enrollment, 825; to Governor -----	924
10 Introduced, 79; from committee without recommendation -----	2357
11 Introduced, 79; from committee without recommendation -----	2339
12 Introduced, 80; from committee, 1309; read second time, 1353; read third time, passed, to Assembly -----	1556
13 Introduced, 80; from committee without recommendation -----	2355
14 Introduced, 80; from committee without recommendation -----	2350
15 Introduced, 80; from committee without recommendation -----	2350
16 Introduced, 80; from committee without recommendation -----	2350
17 Introduced, 80; from committee without recommendation -----	2350
18 Introduced, 80; from committee without recommendation -----	2350
19 Introduced, 80; from committee, 349; read second time, 363; read third time, to Assembly, 375; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 1944; to Governor -----	2137
20 Introduced, 80; from committee, 479; read second time, 491; read third time, passed, to Assembly, 526; passed, in Senate, to enrollment, 1539; to Governor -----	1701
21 Introduced, 80; from committee, 1306; read second time, 1313; read third time, passed, to Assembly, 1432; passed as amended, in Senate, 2196; Senate concurs in Assembly amendments, to enrollment, 2196; to Governor -----	2320
22 Introduced, 81; from committee, 479; read second time, amended, 492; re-referred, 562; from committee without recommendation -----	2357
23 Introduced, 81; from committee, 350; read second time, 366; read third time, to Assembly, 376; passed, in Senate, to enrollment, 1945; to Governor -----	2137
24 Introduced, 81; from committee, 479; read second time, 491; read third time, passed, to Assembly, 526; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 1571; to Governor -----	1821
25 Introduced, 81; from committee, 942; read second time, 975; amended, 1139; read third time, 1238; passed, to Assembly, 1239; passed, in Senate, to enrollment, 2190; to Governor -----	2318
26 Introduced, 84; from committee without recommendation -----	2340
27 Introduced, 88; from committee, 745; from committee without recommendation -----	2344
28 Introduced, 88; from committee, 442; read second time, amended, 487; read third time, passed, to Assembly, 523; passed, in Senate, to enrollment, 1144; to Governor -----	1214
29 Introduced, 97; from committee, 113; read second time, 135; to engrossment, 135; from engrossment, 137; urgency clause read, read third time, passed, to re-engrossment, to Assembly, 142; passed, case of urgency, in Senate, to enrollment, 259; to Governor -----	333
30 Introduced, 97; from committee, 398; read second time, 424; re-referred, 470; from committee without recommendation -----	2340
31 Introduced, 97; from committee without recommendation -----	2340



## BILLS, SENATE—Continued.

No.	PAGE
32 Introduced, 97; from committee, proposed amendments, to committee, 391; from committee, 1795; read second time, amended, 1808; read third time, passed, to Assembly, 1948; passed as amended, in Senate, 2278; Senate refuses to concur in Assembly amendments, 2278; Assembly refuses to recede, 2294; Conference Committee, 2295; committee report adopted, 2308; to Assembly, 2308; Assembly adopts, 2308; in Senate, to enrollment, 2308; to Governor-----	2325
33 Introduced, 97; from committee, 1267; read second time, 1310; read third time, passed, to Assembly-----	1524
34 Introduced, 98; from committee, 527; read second time, 550; read third time, passed, to Assembly-----	729
35 Introduced, 98; from committee, 1267; read second time, amended, 1310; read third time, passed, to Assembly-----	1524
36 Introduced, 100; from committee without recommendation-----	2338
37 Introduced, 100; from committee, read second time, to engrossment, 113; correctly engrossed, 131; read third time, passed, to Assembly, passed, in Senate, to enrollment, 135; to Governor-----	142
38 Introduced, 100; from committee without recommendation-----	2354
39 Introduced, 103; from committee without recommendation-----	2357
40 Introduced, 103; from committee, proposed amendments, 412; from committee, 1002; read second time, amended, re-referred, 1031; from committee without recommendation-----	2355
41 Introduced, 109; from committee, 876; read second time, amended, 932; read third time, passed, to Assembly, 1100; passed, in Senate, to enrollment, 1703; to Governor-----	1822
42 Introduced, 109; from committee without recommendation-----	2339
43 Introduced, 109; from committee, 876; read second time, 931; read third time, passed, to Assembly, 1099; passed, in Senate, to enrollment, 1703; to Governor-----	1823
44 Introduced, 110; from committee, 876; amended, re-referred, 930; from committee, 1267; read second time, amended, 1311; from committee, 1397; read third time, passed, to Assembly, 1431; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2197; to Governor-----	2319
45 Introduced, 110; from committee, 876; read second time, amended, 929; read third time, passed, to Assembly, 1099; passed, in Senate, to enrollment, 1945; to Governor-----	2137
46 Introduced, 110; from committee, 1586; read second time, amended, 1626; read third time, passed, to Assembly, 1724; passed as amended, in Senate, 2093; Senate concurs in Assembly amendments, to enrollment, 2136; to Governor-----	2329
47 Introduced, 111; from committee without recommendation-----	2354
48 Introduced, 111; from committee, 1582; read second time, 1621; read third time, passed, to Assembly, 1816; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2274; to Governor-----	2321
49 Introduced, 111; from committee, 603; amended, re-referred, 604; from committee, 774; read second time, 815; amended, 937; read third time, passed, to Assembly, 1092; passed, in Senate, to enrollment, 2076; to Governor-----	2327
50 Introduced, 111; from committee without recommendation-----	2338
51 Introduced, 111; from committee without recommendation-----	2338
52 Introduced, 111; from committee, 1002; read second time, amended, re-referred, 1031; from committee, 1688; read third time, passed, to Assembly, 1763; passed, in Senate, to enrollment, 2254; to Governor-----	2323
53 Introduced, 111; from committee without recommendation-----	2350
54 Introduced, 111; from committee without recommendation-----	2349
55 Introduced, 111; from committee without recommendation-----	2350
56 Introduced, without reference to committee, 114; read second time, considered engrossed, made case of urgency, read third time, passed, to Assembly, 115; passed, in Senate, to enrollment, 135; to Governor-----	143
57 Introduced, 131; from committee without recommendation-----	2358
58 Introduced, 131; from committee, 1249; amended, 1276; amended, re-referred, 1333; from committee, 1584; read second time, 1622; read third time, passed, to Assembly, 1728; passed, in Senate, to enrollment, 2076; to Governor-----	2327
59 Introduced, to committee, 131; from committee without recommendation-----	2358
60 Introduced, 131; from committee, 1011; read second time, 1071; read third time, passed, to Assembly-----	1361
61 Introduced, 131; from committee, 535; amended, re-referred, 536; from committee, 659; read second time, 694; read third time, passed, to Assembly-----	848



## BILLS, SENATE—Continued.

No.	PAGE
62 Introduced, 132: from committee without recommendation	2337
63 Introduced	132
64 Introduced, 132: from committee without recommendation	2358
65 Introduced, 132: from committee, 416; read second time, 455; amended, 456; read third time, 522; passed, to Assembly, 523; passed, in Senate, to enrollment, 826; to Governor	924
66 Introduced, 132: from committee, 861; read second time, amended, 889; amended, 1793; read third time, passed, to Assembly, 1876; passed, in Senate, to enrollment, 2254; to Governor	2323
67 Introduced, 132: from committee without recommendation	2354
68 Introduced, 133: from committee, 417; read second time, 459; read third time, 503; passed, to Assembly, 504; passed, in Senate, to enrollment, 826; to Governor	924
69 Introduced, 133: from committee, 417; read second time, 459; read third time, passed, to Assembly, 504; passed as amended, in Senate, 1006; Senate concurs in Assembly amendments, to enrollment, 1007; to Governor	1214
70 Introduced, 133: from committee, 416; read second time, amended, 457; read third time, 501; passed, to Assembly, 502; passed, in Senate, to enrollment, 1005; to Governor	1115
71 Introduced, 133: from committee, 416; read second time, amended, 457; read third time, passed, to Assembly, 502; passed, in Senate, to enrollment, 1005; to Governor	1115
72 Introduced, 133: from committee, 416; read second time, amended, 458; read third time, passed, to Assembly, 502; passed as amended, in Senate, 826; Senate concurs in Assembly amendments, 827; to Governor	924
73 Introduced, 138: from committee, 358; read second time, 373; read third time; passed on file, 406; passed, to Assembly, 438; passed, in Senate, to enrollment, 952; to Governor	1115
74 Introduced, 138: from committee without recommendation	2340
75 Introduced, 138: motion to withdraw from committee lost, 1398; from committee without recommendation	2344
76 Introduced, 138: from committee, 1498; read second time, 1514; read third time, passed, to Assembly, 1650; refused passage	2280
77 Introduced, 139: from committee, 443; read second time, amended, 487; read third time, passed, to Assembly, 560; passed, in Senate, to enrollment, 1945; to Governor	2137
78 Introduced, 139: from committee, 480; read second time, amended, 498; amended, 563; read third time, passed, to Assembly, 592; passed, in Senate, to enrollment, 1391; to Governor	1508
79 Introduced, 139: from committee, 417; read second time, 460; read third time, 504; amended, re-referred, 505; from committee without recommendation	2353
80 Introduced, 139: from committee without recommendation	2358
81 Introduced, 139: from committee, 357; read second time, 373; amended, 357; read third time, passed, to Assembly, 405; passed, in Senate, to enrollment, 952; to Governor	1114
82 Introduced, 139: from committee, 745; read second time, 811; read third time, passed, to Assembly, 938; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2271; to Governor	2321
83 Introduced, 139: from committee, 738; read second time, 753; read third time, 849; passed, to Assembly, 850; passed as amended, in Senate, 2191; Senate concurs in Assembly amendments, to enrollment, 2194; to Governor	2318
84 Introduced, 140: from committee, 1362; read second time, amended, 1401; read third time, passed, to Assembly, 1682; passed, in Senate, to enrollment, 2076; to Governor	2327
85 Introduced, 140: from committee, 349; read second time, amended, 364; read third time, 375; passed, to Assembly, 386; passed as amended, in Senate, 2083; Senate concurs in Assembly amendments, to enrollment, 2096; to Governor	2329
86 Introduced, 140: from committee, 358; read second time, amended, 374; read third time, passed, to Assembly, 408; passed, in Senate, to enrollment, 1391; to Governor	1508
87 Introduced	140
88 Introduced, 140: from committee, 1109; read second time, 1270; read third time, passed, to Assembly, 1347; passed, in Senate, to enrollment, 2189; to Governor	2320
89 Introduced, 140: from committee, 1244; read second time, amended, 1270; read third time, passed, to Assembly, 1330; passed, in Senate, to enrollment, 2080; to Governor	2285

## BILLS, SENATE--Continued.

No.	PAGE
90 Introduced, 141; from committee, proposed amendments, 358; from committee, 712; read second time, amended, 713; amended, re-referred, 909; amended, 1103; read third time, 1234; passed, to Assembly, 1237; passed, in Senate, to enrollment, 2254; to Governor-----	2323
91 Introduced, 141; from committee without recommendation-----	2340
92 Introduced, 141; from committee without recommendation-----	2355
93 Introduced, 141; from committee, 528; read second time, 551; read third time, passed, to Assembly-----	596
94 Introduced, 145; from committee without recommendation-----	2357
95 Introduced, 145; from committee, 478; read second time, amended, 490; read third time, passed, to Assembly, 591; passed, in Senate, to enrollment, 1569; to Governor-----	1821
96 Introduced, 146; from committee, 861; read second time, amended, 894; read third time, amended, 1050; passed, to Assembly, 1137; passed as amended, in Senate, 2088; Senate concurs in Assembly amendments, 2105; to enrollment, 2106; to Governor-----	2329
97 Introduced, 146; from committee, 399; read second time, 424; amended, 425; read third time, passed, to Assembly, 501; passed, in Senate, to enrollment, 826; to Governor-----	924
98 Introduced, 146; from committee, 519; read second time, 547; read third time, passed, to Assembly, 593; passed as amended, in Senate, 1570; Senate concurs in Assembly amendments, to enrollment, 1571; to Governor-----	1821
99 Introduced, 146; from committee, 536; amended, re-referred, 542; from committee, 735; read second time, 747; read third time, passed, to Assembly-----	910
100 Introduced, 146; from committee, 183; made case of urgency, read second and third times, 183; passed, to Assembly, 184; passed as a case of urgency, 259; in Senate, to enrollment, 259; to Governor-----	333
101 Introduced, 146; from committee, 862; read second time, amended, re-referred 897; from committee, amended, 1167; read third time, passed, to Assembly, 1235; passed as amended, in Senate, 2092; Senate concurs in Assembly amendments, to enrollment, 2123; to Governor-----	2329
102 Introduced, 146; from committee, 581; read second time, 613; read third time, passed, to Assembly, 765; passed, in Senate, to enrollment, 1391; to Governor-----	1508
103 Introduced, 147; from committee, 1586; read second time, amended, 1627; read third time, passed, to Assembly, 1753; passed as amended, in Senate, 2240; Senate concurs in Assembly amendments, to enrollment, 2244; to Governor-----	2324
104 Introduced, 147; from committee, 1771; read second time, amended, 1804; re-referred, 1930; from committee without recommendation-----	2355
105 Introduced, 147; from committee, 1586; read second time, amended, 1627; read third time, passed, to Assembly, 1819; passed as amended, in Senate, 2259; Senate concurs in Assembly amendments, to enrollment, 2260; to Governor-----	2324
106 Introduced, 147; from committee, 569; read second time, amended, 585; read third time, passed, to Assembly, 725; passed, in Senate, to enrollment, 2080; to Governor-----	2285
107 Introduced, 147; from committee, 1584; read second time, 1622; read third time, passed, to Assembly, 1723; passed, in Senate, to enrollment, 2254; to Governor-----	2323
108 Introduced, 147; from committee without recommendation-----	2340
109 Introduced, 147; from committee without recommendation-----	2342
110 Introduced, 147; from committee, 570; read second time, amended, 587; read third time, 850; passed, 851; to Assembly, 852; passed as amended, in Senate, 1541; Senate concurs in Assembly amendments, to enrollment, 1572; to Governor-----	1821
111 Introduced, 149; from committee, 351; read second time, 366; read third time, to Assembly, 377; passed, in Senate, to enrollment, 1703; to Governor-----	1823
112 Introduced, 149; from committee without recommendation-----	2342
113 Introduced, 149; from committee without recommendation-----	2342
114 Introduced, 149; from committee without recommendation-----	2342
115 Introduced, 149; from committee, 774; read second time, 813; amended, 814; read third time, amended, 937; re-referred-----	1136
116 Introduced, 149; from committee, 875; read second time, amended, 927; read third time, passed, to Assembly-----	1053
117 Introduced-----	149
118 Introduced, 150; from committee without recommendation-----	2342
119 Introduced, 150; from committee without recommendation-----	2357
120 Introduced, 150; from committee, 774; read second time, 815; read third time; passed, to Assembly-----	988
121 Introduced, 150; from committee without recommendation-----	2358

## BILLS, SENATE—Continued.

No.	PAGE
122 Introduced, 171; from committee without recommendation.....	2342
123 Introduced, 171; from committee, 484; read second time, 515; amended, read third time, passed, to Assembly, 592; passed as amended, in Senate, Senate concurs in Assembly amendments, 1335; to enroll- ment, 1396; to Governor.....	1396
124 Introduced, 171; from committee, 628; read second time, 669; read third time, 766; passed, to Assembly, 767; passed, in Senate, to enrollment, 1336; to Governor.....	1396
125 Introduced, 171; from committee, 484; read second time, 514; read third time, passed, to Assembly, 566; passed, in Senate, to enrollment, 920; to Governor.....	1115
126 Introduced, 172; from committee, 650; amended, 651; re-referred, 653; from committee, 778; read second time, 837; read third time, passed, to Assembly, 988; passed as amended, in Senate, 2091; Senate concurs in Assembly amendments, to enrollment, 2121; to Governor.....	2329 2340
127 Introduced, 172; from committee without recommendation.....	2340
128 Introduced, 172; from committee, 569; read second time, 585; read third time, passed, to Assembly, 763; passed as amended, in Senate, 2088; Senate concurs in Assembly amendments, to enrollment, 2107; to Governor.....	2329 2342
129 Introduced, 172; from committee without recommendation.....	2342
130 Introduced, 172; from committee, 383; read second time, 400; read third time, passed, to Assembly, 462; passed, in Senate, to enrollment, 952; to Governor.....	1115
131 Introduced, 172; from committee, 357; read second time, 372; read third time, passed, to Assembly, 403; passed as amended, in Senate, 1393; Senate concurs in Assembly amendments, to enrollment, 1394; to Governor.....	1508
132 Introduced, 173; from committee, 1157; amended, re-referred, 1158; from committee, 1246; read second time, 1275; amended, 1276; re-referred, 1270; from committee, 1362; read third time, passed, to Assembly, 1428; passed, in Senate, to enrollment, 2196; to Governor.....	2318 2334
133 Introduced, 173; from committee without recommendation.....	2334
134 Introduced, 173; from committee, 478; read second time, 489; read third time, passed, to Assembly, 524; passed, in Senate, to enrollment, 952; to Governor, 1115; veto by Governor, 1400; veto sustained.....	1531
135 Introduced, 173; from committee, 659; read second time, 693; read third time, passed, to Assembly.....	906
136 Introduced, 173; from committee, 737; read second time, 812; amended, 1559; notice of reconsideration of amendment, 1559; reconsideration refused, 1567; read third time, passed, 1633; to Assembly.....	1634
137 Introduced, 173; from committee, 440; read second time, 461; read third time, passed, to Assembly, 508; passed, in Senate, to enrollment, 920; to Governor.....	1115 2334
138 Introduced, 173; from committee without recommendation.....	2334
139 Introduced, 174; from committee, 1002; from committee without recom- mendation.....	2345 2337
140 Introduced, 174; from committee without recommendation.....	2337
141 Introduced, 174; from committee, 612; read second time, 668; read third time, passed, to Assembly, 734; passed, in Senate, to enrollment, 1391; to Governor.....	1508
142 Introduced, 174; from committee, read second time, 290; read third time, passed, to Assembly, 367; passed, in Senate, to enrollment, 543; to Governor.....	579
143 Introduced, 174; from committee, 417; read second time, 459; read third time, passed, to Assembly, 503; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 1392; to Governor.....	1508
144 Introduced, 174; made case of urgency, Art. 4, Sec. 15 of constitution suspended, 266; read second and third times, passed, to Assembly, 267; passed, to Senate, to enrollment, 286; to Governor.....	333 2336 2336
145 Introduced, 174; from committee without recommendation.....	2336
146 Introduced, 175; from committee without recommendation.....	2336
147 Introduced, 175; from committee without recommendation.....	2336
148 Introduced, 175; from committee, 386; read second time, 548; read third time, passed, to Assembly, 593; passed, in Senate, to enrollment, 1336; to Governor.....	1396
149 Introduced, 175; from committee, 1576; from committee without recom- mendation.....	2344 2340
150 Introduced, 175; from committee without recommendation.....	2340
151 Introduced, 175; from committee, 579; read second time, amended, 612; read third time, passed, to Assembly, 730; passed as amended, in Senate, Senate concurs in Assembly amendments, 1497; to enrollment, to Governor.....	1562



## BILLS, SENATE—Continued.

No.	PAGE
152 Introduced, 175; from committee, 358; re-referred, 407; from committee, 1362; read second time, amended, 1401; read third time, passed, to Assembly, 1682; passed, in Senate, to enrollment, 2076; to Governor	2327
153 Introduced, 175; from committee, 1648; read second time, amended, 1671; re-referred, 1931; from committee without recommendation	2355
154 Introduced, 175; from committee, amended, 349; re-referred, 396; from committee, 535; read second time, 557; read third time, passage refused	695
155 Introduced, 176; from committee, 535; read second time, amended, 557; read third time, passed, to Assembly	618
156 Introduced, 176; from committee without recommendation	2340
157 Introduced, 176; from committee without recommendation	2339
158 Introduced, 176; from committee, 651; amended, 653; from committee, 1011; read second time, 1066; read third time, passed, to Assembly, 1291; passed as amended, in Senate, 2088; Senate concurs in Assembly amendments, to enrollment, 2106; to Governor	2316
159 Introduced, 176; from committee, 383; read second time, amended, re-referred, 605; from committee without recommendation	2358
160 Introduced, 176; from committee, 383; read second time, amended re-referred, 606; from committee without recommendation	2358
161 Introduced, 177; from committee, 351; read second and third times, to Assembly	377
162 Introduced, 177; from committee, 604; read second time, 613; read third time, passed, to Assembly, 730; passed, in Senate, to enrollment, 2189; to Governor	2320
163 Introduced, 177; from committee without recommendation	2358
164 Introduced, 177; from committee without recommendation	2345
165 Introduced, 177; from committee, 875; read second time, amended, 927; read third time, passed, to Assembly, 1053; passed, in Senate, to enrollment, 1945; to Governor	2137
166 Introduced, 177; from committee, 570; read second time, amended, 587; read third time, passed, to Assembly, 763; passed, in Senate, to enrollment, 1569; to Governor	1821
167 Introduced, 1777; from committee without recommendation	2336
168 Introduced, 177; from committee, 875; read second time, amended, 928; read third time, 1053; passed, to Assembly, 1054; passed as amended in Senate, 1944; Senate concurs in Assembly amendments, to enrollment, 1945; to Governor	2137
169 Introduced, 177; from committee, 483; read second time, 513; read third time, passed, to Assembly, 564; passed, in Senate, to enrollment, 835; to Governor	924
170 Introduced, 177; from committee, 484; read second time, 514; read third time, passed, to Assembly, 564; passed, in Senate, to enrollment, 835; to Governor	925
171 Introduced, 178; from committee, 484; read second time, 514; read third time, passed, to Assembly, 565; passed, in Senate, to enrollment, 870; to Governor	941
172 Introduced, 178; from committee, 604; read second time, 613; read third time, passed, to Assembly	731
173 Introduced, 178; from committee, 443; read second time, amended, 487; read third time, passed, 523; to Assembly, 524; passed as amended, in Senate, 2092; Senate concurs in Assembly amendments, to enrollment, 2112; to Governor	2329
174 Introduced, 178; from committee without recommendation	2339
175 Introduced, 178; from committee, 535; amended, re-referred, 539; from committee, 735; read second time, 747; read third time, passed, to Assembly	936
176 Introduced, 179; from committee, 536; amended, re-referred, from committee, 542; read second time, 1400; amended, 1401; read third time, 1478; passed, to Assembly	1479
177 Introduced, 179; from committee, 478; read second time, 489; read third time, 524; passed, to Assembly, 525; passed, in Senate, to enrollment, 2078; to Governor	2327
178 Introduced, 179; from committee, 942; read second time, 975; read third time, amended 1103; read third time, passed, to Assembly	1196
179 Introduced, 179; from committee without recommendation	2345
180 Introduced, 179; from committee without recommendation	2358
181 Introduced, 179; from committee without recommendation	2344
182 Introduced, 180; from committee without recommendation	2336
183 Introduced, 180; from committee, 858; read second time, 877; read third time, passed, to Assembly, 993; passed, in Senate, to enrollment, 1945; to Governor	2137



## BILLS, SENATE--Continued.

No.	PAGE
184 Introduced, 180; from committee, 478; read second time, 489; read third time, passed, to Assembly, 525; passed, in Senate, to enrollment, 2078; to Governor -----	2327
185 Introduced, 180; from committee, 629; read second time, amended, 671; read third time, passed, to Assembly, 904; passed, in Senate, to enrollment, 2080; to Governor -----	2285
186 Introduced, 180; from committee, 1244; amended, re-referred, 1272; from committee, 1385; read second time, 1408; read third time, passed, to Assembly, 1696; passed as amended, in Senate, 2091; Senate concurs in Assembly amendments, to enrollment, 2123; to Governor -----	2316
187 Introduced, 180; from committee, 995; read second time, amended, 1019; read third time, passed, to Assembly -----	1198
188 Introduced, 180; from committee, 1002; amended, re-referred, 1031; from committee, 1385; read second time, 1408; read third time, passed, to Assembly, 1696; passed, in Senate, to enrollment, 2076; to Governor -----	2327
189 Introduced, 180; from committee, 1194; read second time, amended, 1221; read third time, passage refused, notice of reconsideration, 1399; reconsideration refused -----	1546
190 Introduced, 182; from committee, 1920; read second time, amended, 1921; read third time, passed, to Assembly -----	1953
191 Introduced, 182; from committee without recommendation -----	2334
192 Introduced, 186; from committee, 651; amended, 656; re-referred, 658; from committee, 778; read second time, 837; read third time, passed, 1166; to assembly, 1167; passed as amended, in Senate, 2087; Senate concurs in Assembly amendments, to enrollment, 2109; to Governor -----	2329
193 Introduced, 187; from committee, 479; read second time, 492; read third time, passed, to Assembly, 527; passed, in Senate, to enrollment, 1503; to Governor -----	1562
194 Introduced, 187; from committee, 925; read second time, amended, 959; read third time, passed, 1100; to Assembly, 1101; passed, in Senate, to enrollment, 2080; to Governor -----	2285
195 Introduced, 187; from committee without recommendation -----	2358
196 Introduced, 187; from committee, 398; re-referred, 501; from committee without recommendation -----	2340
197 Introduced, 187; from committee without recommendation -----	2357
198 Introduced, 187; from committee, 943; read second time, amended, 976; read third time, 1139; passed, to Assembly, 1140; passed, in Senate, to enrollment, 1957; to Governor -----	2137
199 Introduced, 187; from committee without recommendation -----	2342
200 Introduced, 188; from committee, 943; read second time, amended, 976; read third time, passed, to Assembly, 1140; passed, in Senate, to enrollment, 2080; to Governor -----	2285
201 Introduced, 188; from committee without recommendation -----	2358
202 Introduced, 188; from committee, 351; read second time, 367; read third time, to Assembly, 378; passed, in Senate, to enrollment, to Governor, 610; vetoed by Governor, 1112; veto sustained -----	1196
203 Introduced, 188; from committee, 659; read second time, amended, 684; read third time, passed, to Assembly, 905; passed as amended, in Senate, 1956; Senate concurs in Assembly amendments, 1989; to enrollment, 1992; to Governor -----	2284
204 Introduced, 188; from committee, 1688; read second time, 1714; read third time, passed, to Assembly, 1767; passed, in Senate, to enrollment, 2306; to Governor -----	2326
205 Introduced, 188; from committee, 417; read second time, 459; read third time, passed, to Assembly, 504; passed, in Senate, to enrollment, 919; to Governor -----	1114
206 Introduced, 188; from committee without recommendation -----	2345
207 Introduced, 189; from committee without recommendation -----	2354
208 Introduced, 189; from committee, 1829; read second time, amended, 1860; read third time, passed, to Assembly, 1950; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2262; to Governor -----	2324
209 Introduced, 189; from committee without recommendation -----	2342
210 Introduced, 189; from committee, 628; read second time, 669; read third time, passed, to Assembly -----	767
211 Introduced, 189; from committee without recommendation -----	2342
212 Introduced, 189; from committee, 529; amended, 554; from committee, 875; read second time, amended, 928; read third time, passed, to Assembly -----	1054
213 Introduced, 189; from committee without recommendation -----	2342
214 Introduced, 189; from committee without recommendation -----	2354
215 Introduced, 189; from committee, 398; read second time, 424; read third time, passed, to Assembly, 470; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 1007; to Governor -----	1395

BILLS, SENATE Continued.

No.	PAGE
216 Introduced, 190; from committee without recommendation-----	2358
217 Introduced, 190; from committee, read second time, amended, re-referred, from committee, 1919; read third time, passed, to Assembly, 1952; passed, in Senate, to enrollment, 2307; to Governor-----	2326
218 Introduced, 190; from committee, 1688; read second time, 1621; read third time, passed, to Assembly-----	1768
219 Introduced, 190; from committee, 386; read second time, amended, 399; read third time, passed, to Assembly, 463; passed, in Senate, 918; Senate concurs in Assembly amendments, to enrollment, 919; to Governor-----	1114
220 Introduced, 190; from committee without recommendation-----	2333
221 Introduced, 190; from committee, 385; read second time, 401; read third time, 520; passed, to Assembly, 521; passed, in Senate, to enrollment, 826; to Governor, 924; vetoed by Governor, veto sustained-----	1265
222 Introduced, 190; from committee, 398; read second time, 424; re-referred, 471; from committee without recommendation-----	2340
223 Introduced, 191; from committee, 199; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third times, passed, to Assembly, 201; passed as amended, to Senate, 282; amendments con- curred in, to enrollment, 293; to Governor-----	333
224 Introduced, 191; from committee, 199; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third times, passed, to Assembly, 202; passed, to Senate, 286; to enrollment, 287; to Governor-----	333
225 Introduced, 191; from committee, 200; made case of urgency, Art. 4, Sec. 15 of constitution suspended, 202; read second and third times, passed, to Assembly, 203; passed, to Senate, 286; to enrollment, 287; to Governor-----	333
226 Introduced, 191; from committee, 1245; read second time, amended, 1274; read third time, passed, to Assembly, 1359; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2214; to Governor-----	2319
227 Introduced, 191; from committee without recommendation-----	2334
228 Introduced, 191; from committee, 628; read second time, 669; read third time, passed, to Assembly-----	734
229 Introduced, 191; from committee, 862; read second time, amended, 898; read third time, passed, to Assembly, 1038; passed, in Senate, to enroll- ment, 2080; to Governor-----	2285
230 Introduced, 192; from committee, 862; read second time, amended, 900; read third time, amended, 1038; passed, to Assembly, 1137; passed, in Senate, to enrollment, 2080; to Governor-----	2285
231 Introduced, 192; from committee without recommendation-----	2334
232 Introduced, 192; from committee, 862; read second time, 902; read third time, passed, to Assembly, 1192; passed, in Senate, to enroll- ment, 2080; to Governor-----	2285
233 Introduced, 192; from committee, 862; read second time, 902; read third time, passed, 1039; reconsideration asked, 1040; amended, 1193; read third time, passed, to Assembly, 1286; passed as amended, in Senate, 2091; Senate concurs in Assembly amendments, to enrollment, 2119; to Governor-----	2317
234 Introduced, 192; from committee, 1249; read second time, amended, re-referred, 1277; from committee, 1362; read third time, passed, to Assembly, 1429; Assembly refuses passage-----	2311
235 Introduced, 192; from committee without recommendation-----	2344
236 Introduced, 192; from committee, 1599; read second time, amended, 1628; read third time, 1725; passed, to Assembly, 1726; passed as amended, in Senate, 2244; Senate concurs in Assembly amendments, to enroll- ment, 2245; to Governor-----	2324
237 Introduced, 193; from committee, 658; amended, re-referred, 672; from committee, 743; re-referred, 1333; from committee without recom- mendation-----	2353
238 Introduced, 193; from committee, 440; read second time, 461; read third time, passed, to Assembly, 508; passed as amended, in Senate, 1956; Senate concurs in Assembly amendments, to enrollment, 1988; to Governor-----	2285
239 Introduced, 193; from committee, 1385; read second time, amended, 1407; read third time, passed, to Assembly, 1695; passed, in Senate, to enrollment, 2076; to Governor-----	2327
240 Introduced, 193; from committee, 440; read second time, 461; read third time, 508; passed, to Assembly, 509; passed, in Senate, to enrollment, 1507; to Governor-----	1562

## BILLS, SENATE—Continued.

No.	PAGE
241 Introduced, 193; from committee, 443; read second time, amended, 513; read third time, passed, to Assembly, 617; passed as amended, in Senate, 1703; Senate concurs in Assembly amendments, to enrollment, 1704; to Governor -----	1823
242 Introduced, 194; from committee, 385; read second time, 399; read third time, 471; passed, to Assembly, 472; passed, in Senate, to enrollment, 825; to Governor -----	924
243 Introduced, to committee, 194; from committee without recommendation -----	2358
244 Introduced, 194; from committee, 1438; read second time, amended, 1452; read third time, 1636; passage refused, notice of reconsideration, 1644; motion to reconsider carried, 1701; passage refused -----	1928
245 Introduced, 194; from committee, 1438; read second time, amended, 1452; read third time, passage refused -----	1930
246 Introduced, 194; from committee, 478; read second time, 490; read third time, passed, to Assembly, 525; passed, in Senate, to enrollment, 1507; to Governor -----	1562
247 Introduced, 194; from committee, 478; read second time, 490; read third time, passed, to Assembly, 561; passed, in Senate, to enrollment, 1507; to Governor -----	1562
248 Introduced, 194; from committee, 351; read second time, 367; read third time, to Assembly, 377; passed, in Senate, to enrollment, 919; to Governor -----	1114
249 Introduced, 195; from committee, 351; read second time, 367; read third time, to Assembly, 378; passed, in Senate, to enrollment, 919; to Governor -----	1114
250 Introduced, 196; from committee, 779; read second time, amended, 840; read third time, passed, to Assembly, 1037; passed, in Senate, to enrollment, 1957; to Governor -----	2137
251 Introduced, 196; from committee, 1587; from committee without recommendation -----	2355
252 Introduced, 197; from committee, 546; read second time, 583; read third time, passed, to Assembly -----	619
253 Introduced, 197; from committee without recommendation -----	2337
254 Introduced, 197; from committee, 1002; amended, 1031; read second time, 1084; read third time, passed, to Assembly, 1253; passed as amended, in Senate, 2087; Senate concurs in Assembly amendments, to enrollment, 2134; to Governor -----	2317
255 Introduced, 197; from committee, 862; read second time, amended, 899; read third time, passed, to Assembly, 1038; passed, in Senate, to enrollment, 1957; to Governor -----	2137
256 Introduced, 197; from committee, 628; read second time, 1194; amended, 1195; read third time, amended, 1296; amended, re-referred -----	1459
257 Introduced -----	197
258 Introduced, 197; from committee, 628; read second time, 669; read third time, passed, to Assembly -----	767
259 Introduced, 197; from committee, 614; amended, re-referred, 668; from committee, 743; read third time, passed, to Assembly, 766; passed, in Senate, to enrollment, 2254; to Governor -----	2323
260 Introduced, 197; from committee, 1245; amended, re-referred, 1274; from committee, 1462; read second time, 1475; read third time, passed, to Assembly, 1599; passed, in Senate, to enrollment, 2076; to Governor -----	2327
261 Introduced, 197; from committee, 1048; read second time, 1076; read third time, passed, to Assembly, 1289; passed, in Senate, to enrollment, 2254; to Governor -----	2323
262 Introduced, 198; from committee, 1611; read second time, amended, 1666; read third time, passed, to Assembly, 1249; passed, in Senate, to enrollment, 1881; to Governor -----	1925
263 Introduced, 198; from committee, 381; amended, 521; read second time, 401; read third time, passed, to Assembly, 592; passed as amended, 2271; in Senate, Senate concurs in Assembly amendments, to enrollment, 2272; to Governor -----	2321
264 Introduced, 199; from committee, 478; read second time, amended, 489; read third time, passed, to Assembly, 561; passed, in Senate, to enrollment, 2080; to Governor -----	2285
265 Introduced, 199; from committee, 383; read second time, 401; read third time, passed, 462; to Assembly, 463; passed, in Senate, to enrollment, 1957; to Governor -----	2137
266 Introduced, 199; from committee, 418; read second time, 460; read third time, passed, to Assembly, 506; passed as amended, in Senate, 2275; Senate concurs in Assembly amendments, to enrollment, 2276; to Governor -----	2321



BILLS, SENATE—Continued.

No.	PAGE
267 Introduced, 199; from committee, 738; read second time, amended, 754; read third time, passed, to Assembly, 909; passed, in Senate, to enrollment, 2080; to Governor	2285
268 Introduced, 199; from committee without recommendation	2358
269 Introduced, 199; from committee, re-referred, 1830; from committee, 1886; read second time, 1888; read third time, passed, to Assembly, 1947; passed as amended, in Senate, 2311; Senate concurs in Assembly amendments, to enrollment, 2312; to Governor	2325
270 Introduced, 203; from committee without recommendation	2345
271 Introduced, 203; from committee, 382; read second time, 401; read third time, 467; passed, to Assembly, 468; passed, in Senate, to enrollment, 952; to Governor	1115
272 Introduced, 203; from committee without recommendation	2342
273 Introduced, 204; from committee, 528; read second time, 551; read third time, passed, to Assembly, 596; passed, in Senate, to enrollment, 1957; to Governor	2137
274 Introduced, 210; from committee without recommendation	2355
275 Introduced, without reference to committee, 214; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third times, 215; passed, to Assembly	216
276 Introduced, 217; from committee, 478; read second time, 489; read third time, 525; passed, to Assembly, 526; passed, in Senate, to enrollment, 2080; to Governor	2285
277 Introduced, 217; from committee, 417; read second time, 460; read third time, passed, to Assembly, 505; passed, in Senate, to enrollment, 1438; to Governor	1509
278 Introduced, 217; from committee, 417; read second time, amended, 459; read third time, 502; passed, to Assembly, 503; passed as amended, in Senate, 1440; Senate concurs in Assembly amendments, to enrollment, 1441; to Governor	1509
279 Introduced, 218; from committee without recommendation	2354
280 Introduced, 218; from committee, 874; read second time, 927; read third time, passed, to Assembly, 1053; passed, in Senate, to enrollment, 2080; to Governor	2285
281 Introduced, 218; from committee, 739; amended, re-referred, 747; from committee, 1364; read second time, 1404; amended, 1405; read third time, passed, to Assembly, 1532; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2266; to Governor	2321
282 Introduced, 218; from committee without recommendation	2354
283 Introduced, 218; from committee without recommendation	2354
284 Introduced, 218; from committee without recommendation	2334
285 Introduced, 218; from committee without recommendation	2334
286 Introduced, 218; from committee without recommendation	2358
287 Introduced, 218; from committee, 484; read second time, 514; read third time, passed, to Assembly, 565; passed, in Senate, 919; to enrollment, 920; to Governor	1114
288 Introduced, 219; from committee, 1215; read second time, amended, 1222; read third time, passed, to Assembly	1327
289 Introduced, 219; from committee without recommendation	2358
290 Introduced, 219; from committee, 421; read second time, 460; amended, 461; read third time, 506; passed, to Assembly, 507; passed as amended, in Senate, 1541; Senate concurs in Assembly amendments, to enrollment, 1563; to Governor	1821
291 Introduced, 219; from committee, 351; read second time, 367; read third time, passed, to Assembly, 378; passed, in Senate, to enrollment, 1951; to Governor	2137
292 Introduced, 219; from committee, 423; read second time, 461; read third time; title amended, passed, to Assembly, 507; passed, in Senate, to enrollment, 825; to Governor	924
293 Introduced, 219; from committee, 1384; read second time, 1406; read third time, passed, to Assembly, 1692; passed, in Senate, to enrollment, 2255; to Governor	2323
294 Introduced, 219; from committee, 443; read second time, amended, 488; read third time, passed, to Assembly, 621; passed as amended, in Senate, 2091; Senate concurs in Assembly amendments, to enrollment, 2146; to Governor	2331
295 Introduced, 219; from committee without recommendation	2342
296 Introduced, 220; from committee, 659; read second time, amended, 674; read third time, passed, to Assembly, 1034; passed as amended, in Senate, 2091; Senate concurs in Assembly amendments, to enrollment, 2115; to Governor	2316



## BILLS, SENATE—Continued.

No.	PAGE
297 Introduced, 220; from committee, 658; read second time, 673; read third time, passed, to Assembly, 768; passed, in Senate, to enrollment, 1438; to Governor-----	1509
298 Introduced, 220; from committee, 1054; read second time, amended, re-referred, 1079; from committee, amended, 1290; from committee, 1362; read third time, passed, to Assembly, 1427; passed as amended, in Senate, 2276; Senate concurs in Assembly amendments, to enrollment, 2277; to Governor-----	2321
299 Introduced, 220; from committee, 1060; read second time, amended, re-referred, 1117; from committee, 1176; read third time, passed, to Assembly, 1427; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2277; to Governor-----	2321
300 Introduced, 220; from committee, 1060; read second time, 1119; read third time, passed, to Assembly, 1427; passed as amended, in Senate, 2277; Senate concurs in Assembly amendments, to enrollment, 2278; to Governor-----	2321
301 Introduced, 220; from committee without recommendation-----	2337
302 Introduced, 220; from committee, 779; read second time, amended, 838; read third time, amended, 989; passed, to Assembly, 1136; passed as amended, in Senate, 2090; Senate concurs in Assembly amendments, to enrollment, 2114; to Governor-----	2317
303 Introduced, 221; from committee, 417; read second time, 460; read third time, passed, to Assembly-----	505
304 Introduced, 221; from committee, 499; read third time, passed, to Assembly, 566; passed, in Senate, to enrollment, 920; to Governor-----	1114
305 Introduced, 221; from committee without recommendation-----	2358
306 Introduced, 221; from committee without recommendation-----	2337
307 Introduced-----	221
308 Introduced, 221; from committee, 382; read second time, 402; read third time, passed, to Assembly, 607; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 953; to Governor-----	1115
309 Introduced, 222; from committee, 735; read second time, amended, 746; read third time, passed, to Assembly-----	907
310 Introduced, 222; from committee, 382; read second time, 402; read third time, passed, to Assembly-----	469
311 Introduced, 222; from committee without recommendation-----	2338
312 Introduced, 222; from committee, 1384; read second time, 1407; read third time, passed, to Assembly, 1693; passed, in Senate, to enrollment, 2077; to Governor-----	2327
313 Introduced, 222; from committee without recommendation-----	2354
314 Introduced, 222; from committee, 1886; read second time, amended, 1888; read third time, passed, to Assembly, 1952; passed, in Senate, to enrollment, 2315; to Governor-----	2326
315 Introduced, 222; from committee, 943; re-referred, 1361; from committee, 1362; read second time, 1401; read third time, 1681; passed, to Assembly, 1682; passed as amended, in Senate, 2090; Senate concurs in Assembly amendments, to enrollment, 2113; to Governor-----	2329
316 Introduced, 223; from committee, 442; read second time, 486; amended, 487; read third time, passed, to Assembly, 560; passed as amended, in Senate, Senate concurs in Assembly amendments, 1264; to enrollment, to Governor-----	1396
317 Introduced, 223; from committee without recommendation-----	2332
318 Introduced, 223; from committee, 1249; amended, re-referred, 1279; from committee, 1584; read second time, amended, 1623; read third time, passed, to Assembly, 1723; passed, in Senate, to enrollment, 2255; to Governor-----	2323
319 Introduced, 223; from committee, 1385; read second time 1407; read third time, passed, to Assembly, 1694; passed, in Senate, to enrollment, 2077; to Governor-----	2327
320 Introduced, 223; from committee, 385; read second time, 399; read third time, passed, to Assembly, 439; passed, in Senate, to enrollment, 825; to Governor-----	924
321 Introduced, 223; from committee, 612; read second time, 667; read third time, passed, to Assembly, 734; passed, in Senate, to enrollment, 1391; to Governor-----	1508
322 Introduced, 223; from committee, 527; read second time, 550; read third time, passed, to Assembly, 593; passed, in Senate, to enrollment, 1005; to Governor-----	1115
323 Introduced, 224; from committee, 527; read second time, 550; read third time, passed, to Assembly, 594; passed, in Senate, to enrollment, 1005; to Governor, 1115; vetoed by Governor, 1400; veto sustained---	1531

## BILLS, SENATE—Continued.

No.	PAGE
324 Introduced, 221; from committee, 528; read second time, 551; read third time, passed, to Assembly, 596; passed as amended, in Senate, 2087; Senate concurs in Assembly amendments, to enrollment, 2108; to Governor	2329
325 Introduced, 224; from committee, 1108; read second time, amended, 1123; read third time, passed, to Assembly	1294
326 Introduced, 224; from committee, 862; amended, re-referred, 901; from committee, 1108; read second time, 1123; read third time, passed, to Assembly, 1293; passed as amended, in Senate, 2087; Senate concurs in Assembly amendments, to enrollment, 2109; to Governor	2330
327 Introduced, 224; from committee, 944; read second time, amended, 978; read third time, passed, to Assembly, 1141; passed as amended, in Senate, 2087; Senate refuses to concur in Assembly amendments, 2129; Assembly refuses to recede, Conference Committee appointed, 2185; Assembly adopts report, Senate concurs in Assembly amendments, to enrollment, 2282; to Governor	2326
328 Introduced, 224; from committee, 859; read second time, amended, re-referred, 883; from committee without recommendation	2342
329 Introduced, 225; from committee without recommendation	2354
330 Introduced, 225; from committee without recommendation	2354
331 Introduced	225
332 Introduced	225
333 Introduced, 226; from committee without recommendation	2335
334 Introduced	226
335 Introduced	226
336 Introduced, 226; from committee, re-referred, from committee, 535; amended, 541; re-referred, from committee, 1171; read second time, 1179; read third time, passed, to Assembly, 1325; passed as amended, in Senate, 2087; Senate concurs in Assembly amendments, 2145; to enrollment, 2146; to Governor	2331
337 Introduced, 226; from committee, 480; read second time, amended, 493; read third time, passed, to Assembly, 617; passed, in Senate, to enrollment, 1685; to Governor	1822
338 Introduced, 226; from committee, 527; read second time, 550; read third time, passed, to Assembly, 729; passed, in Senate, to enrollment, 1218; to Governor	1395
339 Introduced, 226; from committee without recommendation	2339
340 Introduced, 227; from committee, 527; read second time, 550; read third time, passed, to Assembly, 594; passed, in Senate, to enrollment, 1160; to Governor	1214
341 Introduced, 227; from committee, 579; read second time, 612; read third time, passed, to Assembly, 730; passed as amended, in Senate, 1507; Senate concurs in Assembly amendments, to enrollment, 1508; to Governor	1562
342 Introduced, 227; from committee, read second time, 737; read third time, passed, to Assembly, 908; passed as amended, in Senate, 1957; Senate concurs in Assembly amendments, to enrollment, 1989; to Governor	2285
343 Introduced, 227; from committee, 1176; read second time, amended, 1196; read third time, passed, to Assembly, 1355; passed, in Senate, to enrollment, 2190; to Governor	2318
344 Introduced, 227; from committee, 357; read second time, 372; read third time, passed, 403; to Assembly, 404; passed as amended, in Senate, 1423; Senate concurs in Assembly amendments, to enrollment, 1424; to Governor	1509
345 Introduced, 227; from committee, 862; read second time, amended, re-referred, 900; amended, 1097; read third time, amended, 1235; passed, to Assembly	1324
346 Introduced, 227; from committee without recommendation	2340
347 Introduced, 227; from committee, 862; read second time, 902; read third time, passed, to Assembly, 1039; passed, in Senate, to enrollment, 1957; to Governor	2138
348 Introduced, 227; from committee, 521; read second time, amended, 548; read third time, passed, to Assembly, 622; passed, in Senate, to enrollment, 1336; to Governor	1396
349 Introduced, 228; from committee, 874; read second time, 927; read third time, amended, 1052; passed, to Assembly, 1138; passed as amended, in Senate, 2092; Senate concurs in Assembly amendments, to enrollment, 2096; to Governor	2317
350 Introduced, 228; from committee without recommendation	2345
351 Introduced	228

## BILLS, SENATE—Continued.

No.	PAGE
352 Introduced, 228; from committee, 570; read second time, 587; read third time, passed, to Assembly, 726; passed, in Senate, to enrollment, 1005; to Governor -----	1395
353 Introduced, 228; from committee without recommendation -----	2358
354 Introduced, 228; from committee, read second time, amended, 1667; read third time, amended, 1727; re-referred, 1820; from committee without recommendation -----	2358
355 Introduced, 228; from committee, 421; read second time, 460; read third time, passed, to Assembly -----	506
356 Introduced, 228; from committee, 1649; read second time, amended, 1671; read third time, passed, to Assembly, 1767; passed, in Senate, to enrollment, 2255; to Governor -----	2323
357 Introduced -----	220
358 Introduced, 229; from committee, 571; amended, 589; from committee, 1010; read second time, 1064; read third time, passed, to Assembly, 1288; passed, in Senate, to enrollment, 2080; to Governor -----	2286
359 Introduced, 229; from committee, proposed amendments, 358; re-referred, 382; from committee without recommendation -----	2355
360 Introduced, 229; from committee, 528; read second time, amended, 532; read third time, passed, to Assembly, 723; passed as amended, in Senate, 1543; Senate concurs in Assembly amendments, to enrollment, 1574; to Governor -----	1821
361 Introduced, 229; from committee, 546; read second time, 583; read third time, passed, to Assembly, 696; passed, in Senate, to enrollment, 1958; to Governor -----	2137
362 Introduced, 229; from committee, 1055; read second time, amended, 1083; amended, 1457; amended, 1833; read third time, passed, to Assembly, 1931; passed, in Senate, to enrollment, 2256; to Governor -----	2322
363 Introduced, 230; from committee without recommendation -----	2344
364 Introduced, 230; from committee, 546; read second time, 583; read third time, passed, to Assembly, 696; passed, 1797; in Senate, to enrollment, 1798; to Governor -----	1925
365 Introduced, 230; from committee, 1116; read second time, amended, 1162; read third time, passed, to Assembly, 1680; passed as amended, in Senate, 2090; Senate concurs in Assembly amendments, to enrollment, 2110; to Governor -----	2330
366 Introduced, 230; from committee, 1116; read second time, amended, 1162; read third time, passed, to Assembly, 1679; passed as amended, in Senate, 2090; Senate concurs in Assembly amendments, to enrollment, 2110; to Governor -----	2330
367 Introduced, 230; from committee without recommendation -----	2344
368 Introduced, 230; from committee, 1107; read second time, 1120; read third time, passed, to Assembly, 1754; passed, in Senate, to enrollment, 2077; to Governor -----	2327
369 Introduced, 230; from committee, 1106; read second time -----	1120
370 Introduced, 230; from committee, 1106; read second time -----	1120
371 Introduced, 230; from committee, 1106; read second time, 1119; read third time, passed, to Assembly, 1458; passed, in Senate, to enrollment, 2077; to Governor -----	2328
372 Introduced, 231; from committee, 779; read second time, amended, 840; amended, 991; read third time, passed, to Assembly, 1092; passed, in Senate, to enrollment, 2189; to Governor -----	2320
373 Introduced, 231; from committee without recommendation -----	2343
374 Introduced, 231; from committee without recommendation -----	2343
375 Introduced, 231; from committee, 745; read second time, 812; read third time, passed, to Assembly, 855; passed, in Senate, to enrollment, 1958; to Governor -----	2138
376 Introduced, 231; from committee, 745; read second time, 811; read third time, passed, to Assembly -----	854
377 Introduced, 231; from committee, 1055; read second time, amended, 1082; amended, 1793; read third time, passed, to Assembly, 1877; passed as amended, in Senate, 2270; Senate concurs in Assembly amendments, to enrollment, 2271; to Governor -----	2321
378 Introduced, 231; from committee, 745; read second time, 811; read third time, passed, to Assembly, 852; passed, in Senate, to enrollment, 1958; to Governor -----	2138
379 Introduced, 231; from committee, 745; read second time, 811; read third time, passed, to Assembly, 853; passed, in Senate, to enrollment, 2080; to Governor -----	2286
380 Introduced, 231; from committee, 745; read second time, 811; read third time, passed, to Assembly, 854; passed, in Senate, to enrollment, 1958; to Governor -----	2138



## BILLS, SENATE—Continued.

No.	PAGE
381 Introduced, 232; from committee, 745; read second time, 811; read third time, passed, to Assembly, 936; passed as amended, in Senate, Senate concurs in Assembly amendments, 1957; to enrollment, 1958; to Governor	2137
382 Introduced, 232; from committee, 995; read second time, 1016; read third time, passed, to Assembly, 1286; passed as amended, in Senate, 2086; Senate concurs in Assembly amendments, to enrollment, 2104; to Governor	2330
383 Introduced, 232; from committee, 665; read second time, 709; read third time, passed, to Assembly, 821; passed as amended, in Senate, 2086; Senate concurs in Assembly amendments, to enrollment, 2105; to Governor	2030
384 Introduced, 232; from committee, 546; read second time, 583; read third time, passed, to Assembly, 696; passed, 1795; in Senate, to enrollment, 1798; to Governor	1925
385 Introduced, 232; from committee, 546; read second time, 583; read third time, passed, to Assembly, 697; passed, in Senate, to enrollment, 1958; to Governor	2138
386 Introduced, 232; from committee, 546; read second time, 583; read third time, passed, to Assembly, 1166; passed, in Senate, 2077; to enrollment, 2078; to Governor	2328
387 Introduced, 232; from committee, 546; read second time, 583; amended, 818; read third time, 934; amended, 999; passed, 1165; to Assembly, 1166; passed, in Senate, to enrollment, 2081; to Governor	2286
388 Introduced, 232; from committee, 546; read second time, 582; read third time, passed, to Assembly, 697; passed, in Senate, to enrollment, 1958; to Governor	2138
389 Introduced, 232; from committee, 664; read second time, 708; read third time, passed, to Assembly, 771; passed, in Senate, to enrollment, 1958; to Governor	2138
390 Introduced, 233; from committee, 665; read second time, 709; read third time, passed, to Assembly, 771; passed, in Senate, to enrollment, 1881; to Governor	1925
391 Introduced, 233; from committee, 745; read second time, 812; read third time, passed, to Assembly, 985; passed, in Senate, to enrollment, 1958; to Governor	2138
392 Introduced, 233; from committee, 665; read second time, 709; read third time, passed, to Assembly, 771; passed, in Senate, to enrollment, 1960; to Governor	2138
393 Introduced, 233; from committee, 665; read second time, 709; read third time, passed, to Assembly, 772; passed, in Senate, to enrollment, 1960; to Governor	2138
394 Introduced, 233; from committee, 1055; read second time, amended, 1083; read third time, passed, to Assembly, 1253; passed, in Senate, to enrollment, 2189; to Governor	2320
395 Introduced, 233; from committee, 665; amended, re-referred, 709; from committee, 743; read third time, passed, to Assembly, 772; passed, in Senate, to enrollment, 1960; to Governor	2138
396 Introduced, 233; from committee, 665; read second time, 709; read third time, passed, to Assembly, 772; passed, in Senate, to enrollment, 1960; to Governor	2138
397 Introduced, 233; from committee, 665; read second time, 709; read third time, 772; passed, to Assembly, 773; passed, in Senate, to enrollment, 1881; to Governor	1925
398 Introduced, 233; from committee, 664; read second time, 708; read third time, passed, to Assembly, 770; passed as amended, in Senate, 1964; Senate concurs in Assembly amendments, to enrollment, 2278; to Governor	2321
399 Introduced, 234; from committee, 665; read second time, amended, 710; read third time, passed, to Assembly, 906; passed as amended, in Senate, 1958; Senate concurs in Assembly amendments, to enrollment, 1959; to Governor	2127
400 Introduced, 234; from committee, 995; read second time, 1016; read third time, passed on file	1198
401 Introduced, 234; from committee, 745; read second time, 812; read third time, passed, to Assembly, 855; passed, in Senate, to Enrollment, 1881; to Governor	1925
402 Introduced, 234; from committee, 745; read second time, 812; read third time, passed, to Assembly, 855; passed, in Senate, to enrollment, 1881; to Governor	1925
403 Introduced, 234; from committee, 664; read second time, 708; read third time, passed, to Assembly, 770; passed, in Senate, to enrollment, 1881; to Governor	1925



## BILLS, SENATE—Continued.

No.	PAGE
404 Introduced, 234; from committee, 745; read second time, 812; read third time, passed, to Assembly, 855; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 1959; to Governor.	2137
405 Introduced, 234; from committee, 664; read second time, 708; read third time, passed, to Assembly, 770; passed, in Senate, to Enrollment, 1960; to Governor.	2138
406 Introduced, 234; from committee without recommendation.	2343
407 Introduced, 234; from committee, 994; read second time, 1016; read third time, passed, 1197; to Assembly, 1198; passed, in Senate, to enrollment, 2077; to Governor.	2328
408 Introduced, 234; from committee, 664; read second time, 709; amended, 769; read third time, passed, to Assembly, 848; passed as amended, 1959; in Senate; Senate concurs in Assembly amendments, to enrollment, 1960; to Governor.	2127
409 Introduced, 235; from committee, 995; read second time, 1016; read third time, passed, to Assembly, 1147; passed as amended, in Senate, 2291; Senate refuses to concur in Assembly amendments, 2292; Assembly refuses to recede, 2308; Conference Committee, report of Conference Committee, 2309; report adopted, to Assembly, Assembly adopts report, in Senate, to enrollment, 2310; to Governor.	2325
410 Introduced, 235; from committee, 745; read second time, 811; read third time, 984; passed, to Assembly, 985; passed, in Senate, to enrollment, 1960; to Governor.	2138
411 Introduced, 235; from committee, 665; read second time, 709; read third time, passed, to Assembly, 821; passed, in Senate, to enrollment, 1960; to Governor.	2138
412 Introduced, 235; from committee, 1107; read second time, 1120; read third time; passed, to Assembly, 1679; passed as amended, in Senate, 2090; Senate concurs in Assembly amendments, to enrollment, 2111; to Governor.	2330
413 Introduced, 235; from committee, 1107; read second time, 1120; read third time, passed, to Assembly, 1679; passed as amended, in Senate, 2090; Senate concurs in Assembly amendments, to enrollment, 2111; to Governor.	2330
414 Introduced, 235; from committee, 1055; read second time, amended, 1082; read third time, passed, to Assembly, 1252; passed as amended, in Senate, 2090; Senate concurs in Assembly amendments, to enrollment, 2112; to Governor.	2330
415 Introduced, 235; from committee, 664; read second time, 709; read third time, passed, to Assembly, 769; passed, 1797, in Senate, to enrollment, 1798; to Governor.	1925
416 Introduced, 235; from committee, 665; read second time, 709; read third time, passed, to Assembly, 822; passed, in Senate, to enrollment, 2077; to Governor.	2328
417 Introduced, 235; from committee, 1648; read second time, amended, 1669; read third time, passed, to Assembly, 1767; passed as amended, in Senate, 2301; Senate concurs in Assembly amendments, to enrollment, 2302; to Governor.	2325
418 Introduced, 236; from committee, 1802; read second time, amended, 1859; read third time, passed, to Assembly, 1949; passed, in Senate, to enrollment, 2256; to Governor.	2322
419 Introduced, 236; from committee without recommendation.	2344
420 Introduced, 236; from committee without recommendation.	2344
421 Introduced, 236; from committee without recommendation.	2344
422 Introduced, 236; from committee without recommendation.	2344
423 Introduced, 236; from committee without recommendation.	2344
424 Introduced, 236; from committee without recommendation.	2344
425 Introduced, 236; from committee without recommendation.	2344
426 Introduced, 236; from committee without recommendation.	2355
427 Introduced, 238; from committee, re-referred, 439; from committee, 1688; read second time, 1714; read third time, passed, to Assembly.	1768
428 Introduced, 238; from committee, 875; read second time, 927; read third time, passed, to Assembly, 1052; passed as amended, in Senate, 2092; Senate concurs in Assembly amendments, to enrollment, 2146; to Governor.	2331
429 Introduced, 239; from committee, 1365; read second time, 1406; read third time, passed, to Assembly, 1818; passed, in Senate, to enrollment, 2077; to Governor.	2328
430 Introduced, 239; from committee, 859; read second time, read third time, amended, 1096; passed, to Assembly, 1285; passed as amended, in Senate, 2085; Senate concurs in Assembly amendments, to enrollment, 2135; to Governor.	2330

BILLS, SENATE. Continued.

No.	PAGE
431 Introduced, 239; from committee, 1176; read second time, amended, re-referred, 1220; from committee without recommendation	2342
432 Introduced, 239; from committee, 527; read second time, 550; read third time, passed, to Assembly, 591; passed as amended, in Senate, 1218; Senate concurs in Assembly amendments, 1238; to enrollment, to Governor	1396
433 Introduced, 239; from committee, 527; read second time, 550; read third time, passed, to Assembly, 595; passed, in Senate, to enrollment, 1217; to Governor	1395
434 Introduced, 239; from committee, 528; read second time, 550; read third time, passed, to Assembly, 595; passed, in Senate, to enrollment, 1217; to Governor	1395
435 Introduced, 239; from committee, 528; read second time, amended, 550; read third time, passed, to Assembly, 621; passed, in Senate, to enrollment, 1960; to Governor	2138
436 Introduced, 239; from committee, 527; read second time, 550; read third time, passed, to Assembly, 5956; passed, in Senate, to enrollment, 1218; to Governor	1395
437 Introduced, 240; from committee, 528; read second time, 550; read third time, passed, to Assembly, 621; passed, in Senate, to enrollment, 1218; to Governor	1395
438 Introduced, 240; from committee, 528; read second time, 550; read third time, passed, to Assembly, 621; passed, in Senate, to enrollment, 1218; to Governor	1395
439 Introduced, 240; from committee, proposed amendments, re-referred, 418; from committee, amended, 598; from committee, 1363; read second time, 1403; read third time, 1682; passed, to Assembly, 1683; passed, in Senate, to enrollment, 2255; to Governor	2323
440 Introduced, 240; from committee, 418; proposed amendments, re-referred, 419; from committee, 598; amended, 600; from committee, 1363; read second time, 1402; read third time, passed, to Assembly, 1683; passed, in Senate, to enrollment, 2255; to Governor	2323
441 Introduced, 240; from committee, 418; proposed amendments, re-referred, 420; from committee, 598; amended, re-referred, 601; from committee, 1385; read second time, 1407; read third time, passed, to Assembly, 1695; passed as amended, in Senate, 2089; Senate concurs in Assembly amendments, 2151; to enrollment, 2152; to Governor	2331
442 Introduced, 243; from committee, 357; read second time, 372; read third time, passed, to Assembly, 404; passed, in Senate, to enrollment, 825; to Governor	924
443 Introduced, 243; from committee, 1363; amended, re-referred, 1403; from committee, 1551; amended, re-referred, 1576; from committee, 1769; read second time, 1803; read third time, 1878; passed, to Assembly, 1879; passed, in Senate, to enrollment, 2255; to Governor	2323
444 Introduced, 243; from committee without recommendation	2337
445 Introduced, 243; from committee without recommendation	2337
446 Introduced, 243; from committee without recommendation	2337
447 Introduced, 243; from committee, 381; read second time, 402; read third time, 468; passed, to Assembly, 469; passed, in Senate, to enrollment, 1503; to Governor	1562
448 Introduced, 243; from committee, 875; read second time, amended, 929; read third time, passed, to Assembly, 1098; passed, in Senate, to enrollment, 2081; to Governor	2286
449 Introduced, 244; from committee, 1107; read second time, amended, 1123; read third time, passed, to Assembly, 1293; passed, in Senate to enrollment, 2081; to Governor	2286
450 Introduced, 244; from committee without recommendation	2337
451 Introduced, 244; from committee without recommendation	2337
452 Introduced	244
453 Introduced	244
454 Introduced	244
455 Introduced, 244; from committee, 1581; read second time, 1619; read third time, passed, to Assembly	1698
456 Introduced	244
457 Introduced, 244; from committee, 1826; read second time, amended 1859; read third time, passed, to Assembly	1950
458 Introduced	244
459 Introduced, 245; from committee, 1583; read second time, 1621; read third time, passed, to Assembly, 1700; passed, in Senate, 2077; to enrollment, 2073; to Governor	2328

## BILLS, SENATE—Continued.

No.		PAGE
460	Introduced, 245; from committee, 995; read second time, amended, 1017; read third time, passed, to Assembly, 1477; passed, in Senate, to enrollment, 2189; to Governor-----	2320
461	Introduced-----	245
462	Introduced, 245; from committee, 569; read second time, 585; read third time, passed, to Assembly, 725; passed as amended, in Senate, 2085; Senate concurs in Assembly amendments, to enrollment, 2127; to Governor-----	2330
463	Introduced, 245; from committee, 773; read second time, 812; read third time, passed, to Assembly, 986; passed, in Senate, to enrollment, 2081; to Governor-----	2286
464	Introduced, 245; from committee, 774; read second time, 813; read third time, passed, to Assembly-----	987
465	Introduced, 245; from committee, 569; read second time, 585; read third time, passed, to Assembly, 620; passed, in Senate, to enrollment, 2081; to Governor-----	2286
466	Introduced, 245; from committee, 773; read second time, 812; read third time, passed, to Assembly, 1678; passed, in Senate, to enrollment, 2255; to Governor-----	2323
467	Introduced-----	245
468	Introduced, 245; from committee, 357; read second time, 372; amended, 404; read third time, 469; passed, to Assembly, 470; passed as amended, in Senate, 2085; Senate concurs in Assembly amendments, to enrollment, 2105; to Governor-----	2330
469	Introduced, 246; from committee, 358; read second time, 374; read third time, passed, to Assembly, 408; passed, in Senate, to enrollment, 1394; to Governor, 1508; veto by Governor, 1854; veto sustained-----	1954
470	Introduced, 246; from committee, 664; read second time, 711; read third time, passed, to Assembly, 1199; passed, in Senate, to enrollment, 2081; to Governor-----	2286
471	Introduced, 246; from committee without recommendation-----	2358
472	Introduced, 246; from committee, 440; read second time, 461; read third time, passed, to Assembly-----	509
473	Introduced, 246; from committee, 440; read second time, 462; read third time, passed, to Assembly-----	509
474	Introduced, 246; from committee, 1243; read second time, 1269; amended, 1766; read third time, passed, to Assembly-----	1930
475	Introduced, 246; from committee, 417; read second time, 460; read third time, passed, to Assembly, 505; passed, in Senate, to enrollment, 1503; to Governor, 1562; veto by Governor, 1964; veto sustained-----	1985
476	Introduced, 246; from committee, 1770; read second time, 1803; read third time, passed, to Assembly, 1879; passed, in Senate, to enrollment, 2255; to Governor-----	2322
477	Introduced, 246; from committee without recommendation-----	2358
478	Introduced, 246; from committee, 943; read second time, 975; read third time, passed, to Assembly, 1038; passed as amended, in Senate, 2092; Senate concurs in Assembly amendments, to enrollment, 2120; to Governor-----	2330
479	Introduced, 246; from committee without recommendation-----	2359
480	Introduced, 246; from committee without recommendation-----	2359
481	Introduced, 247; from committee without recommendation-----	2359
482	Introduced, 247; from committee without recommendation-----	2359
483	Introduced, 247; from committee, 943; read second time, 976; read third time, passed, to Assembly, 621; passed, in Senate, to enrollment, 1960; to Governor-----	2138
484	Introduced, 247; from committee, 943; read second time, 976; passed, in Senate, to enrollment, 2081; to Governor-----	2286
485	Introduced, 247; from committee, 744; read second time, 808; read third time, passed, to Assembly, 914; passed, in Senate, to enrollment, 2081; to Governor-----	2286
486	Introduced, 247; from committee, 744; read second time, amended, 809; read third time, passed, to Assembly, 935; passed, in Senate, to enrollment 2081; to Governor-----	2286
487	Introduced, 247; from committee, 744; read second time, amended, 809; read third time, passed, to Assembly, 935; passed, in Senate, to enrollment, 2079; to Governor-----	2327
488	Introduced, 247; from committee, 744; read second time, 808; read third time, passed, to Assembly, 910; passed, in Senate, to enrollment, 2077; to Governor-----	2328
489	Introduced, 247; from committee, 744; read second time, amended, 809; read third time, passed, to Assembly, 914; passed, in Senate, to enrollment, 2078; to Governor-----	2327



BILLS, SENATE—Continued.

No.	PAGE
490 Introduced, 247; from committee, 941; read second time, amended, 960; read third time, passed, to Assembly, 1194; passed as amended, in Senate, to unfinished business, 1797; Senate concurs in Assembly amendments, 1928; to enrollment, 1930; to Governor-----	2137
491 Introduced, 247; from committee without recommendation-----	2338
492 Introduced, 248; from committee, 1176; read second time, 1220; read third time, 1297; passed, to Assembly, 1298; passed as amended, in Senate, 2085; Senate concurs in Assembly amendments, to enrollment, 2104; to Governor-----	2317
493 Introduced, 248; from committee, 358; re-referred, 374; from committee, 479; read second time, amended, 492; read third time, passed, to Assembly, 529; passed, in Senate, to enrollment, 1394; to Governor-----	1508
494 Introduced, 248; from committee, 357; read second time, amended, 372; read third time, passed, to Assembly, 403; passed, in Senate, to enrollment, 825; to Governor-----	924
495 Introduced, 248; from committee without recommendation-----	2333
496 Introduced, 248; from committee without recommendation-----	2333
497 Introduced, 248; from committee without recommendation-----	2359
498 Introduced, 248; from committee without recommendation-----	2340
499 Introduced, 248; from committee, 1159; read second time, amended, 1177; read third time, passed, to Assembly, 1295; passed, in Senate, to enrollment, 2190; to Governor-----	2332
500 Introduced, 248; from committee, 528; read second time, 552; read third time, passed, to Assembly, 618; passed, in Senate, to enrollment, 920; to Governor-----	1114
501 Introduced, 249; from committee without recommendation-----	2359
502 Introduced, 249; from committee without recommendation-----	2337
503 Introduced, 249; from committee, 1011; read second time, 1071; read third time, 1288; passed, to Assembly, 1289; passed, in Senate, to enrollment, 2077; to Governor-----	2328
504 Introduced, 249; from committee without recommendation-----	2344
505 Introduced, 249; from committee without recommendation-----	2359
506 Introduced, 249; from committee, 664; read second time, amended, re-referred, 697; from committee without recommendation-----	2353
507 Introduced, 249; from committee, 1107; read second time, amended, 1122; read third time, passed, to Assembly, 1293; passed as amended, in Senate, 2085; Senate concurs in Assembly amendments, to enrollment, 2103; to Governor-----	2330
508 Introduced, 249; from committee, 1648; read second time, amended, 1668; read third time, passed, to Assembly, 1728; passed, in Senate, to enrollment, 2077; to Governor-----	2328
509 Introduced, 250; from committee, 479; read second time, 492; read third time, passed, to Assembly, 526; passed, in Senate, to enrollment, 1394; to Governor-----	1508
510 Introduced, 250; from committee, 742; amended, 783; from committee, 996; amended, 1019; from committee, 1397; amended, re-referred, 1444; from committee, 1585; read second time, 1625; read third time, passed, to Assembly, 1758; passed, in Senate, to enrollment, 2256; to Governor-----	2322
511 Introduced, 250; from committee, amended, read second time, re-referred, 350; from committee without recommendation-----	2359
512 Introduced, 250; from committee, re-referred, 1586; from committee without recommendation-----	2355
513 Introduced, 250; from committee, 478; read second time, 489; amended, 524; read third time, passed, to Assembly, 591; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2265; to Governor-----	2321
514 Introduced, 251; from committee without recommendation-----	2357
515 Introduced, 251; from committee, 547; read second time, amended, 583; read third time, 724; passed, to Assembly, 515; passed as amended, in Senate, 1392; Senate concurs in Assembly amendments, to enrollment, 1393; to Governor-----	1508
516 Introduced, 251; from committee without recommendation-----	2340
517 Introduced, 251; from committee without recommendation-----	2332
518 Introduced, 258; from committee, 383; read second time, 401; amended, 817; amended, 1354; read third time, passed, to Assembly, 1677; passed, in Senate, to enrollment, 2253; to Governor-----	2324
519 Introduced, 259; from committee without recommendation-----	2334
520 Introduced, 259; from committee without recommendation-----	2350
521 Introduced, 260; from committee, 737; read second time, amended, 750; read third time, passed, 907; to Assembly, 908; Assembly refuses passage-----	2170



## HOUSE SENATE CHAMBER

No.		Page
320	Introduced, 360; from committee 360; read second time, 388; read third time, ordered in Assembly, 1986; passed as amended in Senate, 2084; Senate concurs in Assembly amendments to enrollment, 2086, to Governor.	2086
321	Introduced, 360; from committee 360; read second time, amended, 2126; passed, 2127; read third time, amended by amendments, 2126; recommendation in Senate, 2089; Senate concurs in Assembly amendments to enrollment, 2121, to Governor.	2120
322	Introduced, 360; from committee 360; read second time, amended, 2126; read third time, ordered in Assembly, 2094; passed as amended in Senate, 2084; Senate concurs in Assembly amendments to enrollment, 2121, to Governor.	2120
323	Introduced, 360; from committee without recommendation.	2084
324	Introduced, 360; from committee without recommendation.	2084
327	Introduced, 360; from committee 360; read second time, amended, 2126; read third time, ordered in Assembly, 2126; passed as amended in Senate, 2094; Senate concurs in Assembly amendments to enrollment, 2126, to Governor.	2120
328	Introduced, 364; from committee 364; read second time, amended, 2077; read third time, passed in Assembly, 2129; passed as amended in Senate, 2092; Senate concurs in Assembly amendments to enrollment, 2129, to Governor.	2122
329	Introduced, 364; from committee without recommendation.	2084
330	Introduced, 364; from committee 364; read second time, 390; read third time, passed in Assembly, 208; passed in Senate; Senate concurs in Assembly amendments to enrollment, Safe to Governor.	2084
331	Introduced, 364; from committee without recommendation.	2084
332	Introduced, 364; from committee without recommendation.	2084
333	Introduced, 364; from committee 364; read second time, 613; read third time, passed in Assembly, 211; Assembly refers, passed.	2170
334	Introduced, 360; from committee 360; read second time, 613; read third time, ordered in Assembly.	2170
335	Introduced, 364; from committee 390; read second time, amended, 2048; read third time, passed in Assembly, 2198; passed as amended in Senate, 2084; Senate concurs in Assembly amendments to enrollment, 2148, to Governor.	2121
336	Introduced, 360; from committee 360; read second time, 363; read third time, passed in Assembly, 204; passed in Senate; recommendation, 2051, to Governor.	2084
337	Introduced, 360; from committee without recommendation.	2084
338	Introduced, 360; from committee 367; read second time, 367; amended, 1947; read third time, passed in Assembly, 1947; passed in Senate, no enrollment, 2265, to Governor.	2170
339	Introduced, 360; from committee 367; read second time, 360; amended, 1947; read third time, 1947; passed in Assembly, 1949; passed as amended in Senate; Senate concurs in Assembly amendments to enrollment, 2112, to Governor.	2170
340	Introduced, 360; from committee 1196; read second time, 1129; read third time, passed in Assembly.	1324
341	Introduced, 360; from committee 1012; read second time, amended, 1041; from committee without recommendation.	2089
342	Introduced, 207; from committee, 1230; read second time, 1312; read third time, passed, in Assembly, 1330; passed as amended in Senate, 2084; Senate concurs in Assembly amendments to enrollment, 1401, to Governor.	2084
343	Introduced, 368; from committee 943; read second time, 943; read third time, passed in Assembly, 1102; passed in Senate to enrollment, 1307, to Governor.	1302
344	Introduced, 360; from committee 1011; read second time, amended, 1067; read third time, passed in Assembly, 1349; passed as amended in Senate; Senate concurs in Assembly amendments to enrollment, 2126, to Governor.	2120
345	Introduced.	208
346	Introduced, 368; from committee without recommendation.	2105
347	Introduced, 208; from committee, 773; read second time, 812; read third time, passed in Assembly.	2084
348	Introduced, 368; from committee without recommendation.	2089
349	Introduced, 208; from committee without recommendation.	2084
350	Introduced, 208; from committee without recommendation.	2084
351	Introduced.	208
352	Introduced.	208

BILLS, SENATE—Continued.

No.	PAGE
553 Introduced, 269; from committee, 995; read second time, amended, 1019; read third time, 1198; passed, to Assembly, 1199; passed, in Senate, to enrollment, 2081; to Governor	2286
554 Introduced, 269; from committee, 1562; read second time, amended, 1577; read third time, refused passage	1823
555 Introduced, 269; from committee without recommendation	2344
556 Introduced, 269; from committee, 1884; read second time, amended, 1888; read third time, passed, to Assembly	1951
557 Introduced, 269; from committee without recommendation	2352
558 Introduced, 271; from committee, 382; read second time, amended, 402; read third time, passed, to Assembly, 469; passed, in Senate, to enrollment, 1438; to Governor, 1509; vetoed by Governor, 1854; veto sustained	1954
559 Introduced, 271; from committee without recommendation	2335
560 Introduced, 271; from committee without recommendation	2335
561 Introduced	271
562 Introduced, 271; from committee, 1202; read second time, 1221; read third time, passed, to Assembly	1547
563 Introduced, without reference to committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, 272; read second and third times, passed, to Assembly, 273; passed, to Senate, to enrollment, 286; to Governor	333
564 Introduced, 274; from committee, 416; read second time, 455; read third time, passed, to Assembly, 516; passed, in Senate, to enrollment, 825; to Governor	924
565 Introduced, 274; from committee without recommendation	2357
566 Introduced, 274; from committee, 1502; read second time, amended, 1514; read third time, passed, to Assembly, 1600; passed as amended, in Senate, 2089; Senate concurs in Assembly amendments, to enrollment, 2114; to Governor	2330
567 Introduced, 274; from committee, 1502; read second time, 1514; read third time, passed, to Assembly, 1600; passed, in Senate, to enrollment, 2077; to Governor	2328
568 Introduced, 274; from committee, 479; read second time, 492; amended, 493; read third time, passed, to Assembly, 562; passed, in Senate, to enrollment, 1570; to Governor	1822
569 Introduced, 274; from committee, 1170; read second time, amended, read third time, passed, to Assembly, 1681; passed, in Senate, to enrollment, 2077; to Governor	2328
570 Introduced, 275; from committee, 858; read second time, 878; read third time, passed, to Assembly, 1200; passed, in Senate, to enrollment, 2078; to Governor	2327
571 Introduced, 275; from committee, 1583; read second time, 1622; read third time, passed, to Assembly, 1722; passed, in Senate, to enrollment, 2077; to Governor	2328
572 Introduced, 275; from committee without recommendation	2355
573 Introduced, 275; from committee, 738; amended, 755; from committee, 944; read second time, 979; read third time, passed, to Assembly, 1105; passed as amended, in Senate, 2296; Senate concurs in Assembly amendments, to enrollment, 2297; to Governor	2325
574 Introduced, 275; from committee without recommendation	2355
575 Introduced, 276; from committee, 443; read second time, amended, 489; read third time, passed, to Assembly	561
576 Introduced, 276; from committee, 1647; read second time, amended, re-referred, 1667; from committee, 1688; read third time, passed, to Assembly, 1833; passed as amended, in Senate, 2194; Senate concurs in Assembly amendments, to enrollment, 2195; to Governor	2320
577 Introduced, 276; from committee, 1578; read second time, 1619; read third time, passed, to Assembly	1697
578 Introduced, 276; from committee, 1583; read second time, 1621; read third time, passed, to Assembly, 1700; passed, in Senate, to enrollment, 2253; to Governor	2324
579 Introduced, 276; from committee, read second time, amended, re-referred, 549; amended, 904; read third time, passed, to Assembly, 1035; passed, in Senate, to enrollment, 2190; to Governor	2318
580 Introduced, 276; from committee, proposed amendments, re-referred, 386; amended, 530; read second time, amended, 606; read third time, amended, 845; passed, 933; to Assembly, 934; passed, to Assembly, to enrollment, 1539; to Governor	2320
581 Introduced, 277; from committee, 604; read second time, 613; read third time, passed, to Assembly	732

## BILLS, SENATE—Continued.

No.	PAGE
582 Introduced, 277; from committee, 382; read second time, 401; read third time, passed, to Assembly, 467; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 1161; to Governor	1214
583 Introduced, 277; from committee, 1826; read second time, 1859; amended, 1860; read third time, passed, to Assembly, 1950; passed, in Senate, to enrollment, 2255; to Governor	2323
584 Introduced, 277; from committee without recommendation	2359
585 Introduced, 277; from committee, 664, 1010; amended, 700; from committee, 980; read second time, 1064; amended, 1065; read third time, passed, to Assembly, 1324; passed as amended, in Senate, 2089; Senate refuses to concur in Assembly amendments, 2129; Assembly refuses to recede, 2186; Assembly adopts report, 2283; amendment adopted, to enrollment, 2284; to Governor	2324
586 Introduced, 278; from committee, 1010; amended, re-referred, 1062; from committee, 1771; read second time, amended, 1804; read third time, passed, to Assembly, 1931; refused passage	2280
587 Introduced, 278; from committee without recommendation	2359
588 Introduced, 278; from committee without recommendation	2335
589 Introduced, 278; from committee without recommendation	2338
590 Introduced, 278; from committee, 1384; read second time, 1406; read third time, passed, to Assembly	1692
591 Introduced, 278; from committee without recommendation	2335
592 Introduced, 278; from committee, 943; read second time, 976; read third time, passed, to Assembly, 1102; passed, in Senate, to enrollment, 2081; to Governor	2286
593 Introduced, 278; from committee without recommendation	2359
594 Introduced, 279; from committee, 1829; read second time, amended, 1861; read third time, passed, to Assembly, 1950; passed, in Senate, to enrollment, 2253; to Governor	2324
595 Introduced, 279; from committee, 779; read second time, amended, 838; read third time, passed, to Assembly, 1036; passed as amended, in Senate, 2093; Senate concurs in Assembly amendments, to enrollment, 2126; to Governor	2317
596 Introduced, 279; from committee, 944; read second time, amended, 980; read third time, passed, to Assembly, 1141; passed, in Senate, to enrollment, 1960; to Governor	2138
597 Introduced, 279; from committee, 1599; read second time, amended, 1630; read third time, passed, to Assembly, 1820; passed as amended, in Senate, Senate concurs in Assembly amendments, 2297; to enrollment, 2298; to Governor	2326
598 Introduced, 279; from committee, 738; amended, re-referred, 756; from committee, 1774; read second time, amended, 1807; read third time, passed, to Assembly	1932
599 Introduced, 279; from committee without recommendation	2359
600 Introduced, 279; from committee, 411; re-referred, 412; from committee without recommendation	2356
601 Introduced, 279; from committee, 604; read second time, 613; read third time, 732; passed, to Assembly, 733; passed as amended, in Senate, 1541; Senate concurs in Assembly amendments, to enrollment, 1574; to Governor, veto by Governor, 2150; veto sustained	2151
602 Introduced, 280; from committee without recommendation	2335
603 Introduced, 280; from committee without recommendation	2359
604 Introduced, 280; from committee, 773; read second time, 812; read third time, passed, to Assembly	986
605 Introduced, 280; from committee, 773; read second time, 842; read third time, passed, to Assembly, 987; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2195; to Governor	2320
606 Introduced, 280; from committee, 773; read second time, 812; read third time, passed, to Assembly, 856; passed, in Senate, to enrollment, 2081; to Governor	2286
607 Introduced, 280; from committee, 995; read second time, amended, 1046; read third time, passed, to Assembly, 1457; passed, in Senate, to enrollment, 2254; to Governor	2324
608 Introduced, 280; from committee, 995; read second time, amended, 1047; read third time, passed, to Assembly	1633
609 Introduced, 280; from committee, 955; read second time, amended, re-referred	1012
610 Introduced, 281; from committee, 569; read second time, amended, 586; amended, 939; read third time, passed, to Assembly, 1678; passed, in Senate, to enrollment, 2253; to Governor	2324
611 Introduced, 281; from committee without recommendation	2341



BILLS, SENATE—Continued.

No.	PAGE
612 Introduced, 281; from committee, 569; read second time, 585; read third time, passed, to Assembly, 725; passed, in Senate, to enrollment, 2081; to Governor	2286
613 Introduced, 282; from committee without recommendation	2342
614 Introduced, 282; from committee without recommendation	2335
615 Introduced, 282; from committee, 570; read second time, 587; read third time, passed, to Assembly, 819; passed, in Senate, to enrollment, 1368; to Governor	1508
616 Introduced, 283; from committee, 383; read second time, 401; read third time, passed, to Assembly	463
617 Introduced, 283; from committee, 383; read second time, 401; read third time, passed, to Assembly, 463; passed, in Senate, to enrollment, 1394; to Governor	1509
618 Introduced, 283; from committee, 357; read second time, 373; read third time, passed, to Assembly, 405; passed, in Senate, to enrollment, 1539; to Governor	1701
619 Introduced, 283; from committee, 350; read second time, amended, 364; read third time, passed, to Assembly, 1141; passed, in Senate, to enrollment, 1960; to Governor	2138
620 Introduced, 283; from committee, 350; read second time, amended, 366; read third time, passed, to Assembly, 396; passed, in Senate, to enrollment, 2189; to Governor	2320
621 Introduced, 283; from committee, 1648; read second time, 1668; read third time, passed, to Assembly, 1727; passed, in Senate, to enrollment, 2077; to Governor	2328
622 Introduced, 283; from committee without recommendation	2359
623 Introduced, 283; from committee without recommendation	2359
624 Introduced, 283; from committee, 570; read second time, 587; read third time, 620; passed, to Assembly, 624; passed, in Senate, to enrollment, 1368; to Governor	1508
625 Introduced, 284; from committee without recommendation	2353
626 Introduced, 284; from committee without recommendation	2347
627 Introduced, 285; from committee without recommendation	2345
628 Introduced, 285; from committee without recommendation	2347
629 Introduced, 285; from committee without recommendation	2356
630 Introduced, 286; from committee, 859; amended, 878; from committee, 1363; read second time, amended, 1402; amended, 1631; read third time, passed, to Assembly, 1759; passed as amended, in Senate, 2089; Senate concurs in Assembly amendments, 2113; to enrollment, 2089; to Governor	2330
631 Introduced	286
632 Introduced, 286; from committee without recommendation	2345
633 Introduced, 305; from committee, 398; read second time, 424; read third time, passed, to Assembly, 470; passed as amended, in Senate, 1370; Senate concurs in Assembly amendments, to enrollment, 1372; to Governor	1508
634 Introduced, 305; from committee, 412; read second time, 425; read third time, passed, to Assembly, 471; passed, in Senate, to enrollment, 1368; to Governor	1508
635 Introduced, 305; from committee, 995; read second time, amended, 1018; read third time, amended, 1168; passed, 1287; to Assembly, 1288; passed as amended, in Senate, 2084; Senate concurs in Assembly amendments, to enrollment, 2128; to Governor	2330
636 Introduced, 305; from committee, re-referred, 439; from committee without recommendation	2349
637 Introduced, 305; from committee, 1396; read second time, amended, 1443; read third time, passed, to Assembly, 1557; passed, in Senate, to enrollment, 2077; to Governor	2328
638 Introduced, 306; from committee, 631; amended, re-referred, 631; from committee, 824; read second time, amended, 840; read third time, passed, to Assembly, 1199; passed as amended, 2196; in Senate, Senate concurs in Assembly amendments, to enrollment, 2197; to Governor	2319
639 Introduced, 306; from committee, 737; read second time, amended, 751; read third time, passed, to Assembly, 908; Assembly refuses passage	2170
640 Introduced, 306; from committee, 1214; from committee without recommendation	2356
641 Introduced, 306; from committee, 1049; read second time, amended, 1078; read third time, passed, to Assembly, 1251; passed as amended, in Senate, 2217; Senate concurs in Assembly amendments, to enrollment, 2221; to Governor	2319



## BILLS, SENATE—Continued.

No	PAGE
642 Introduced, 306; from committee, 744; read second time, amended, 809; read third time, passed, to Assembly, 935; passed, in Senate, to enrollment, 2079; to Governor	2326
643 Introduced, 307; from committee without recommendation	2359
644 Introduced, 307; from committee without recommendation	2359
645 Introduced, 307; from committee, 529; amended, 555; from committee, 1012; amended, 1075; from committee, 1215; read second time, amended, 1223; amended, 1525; read third time, passed, to Assembly, 1633; passed as amended, in Senate, 2088; Senate concurs in Assembly amendments, to enrollment, 2120; to Governor	2330
646 Introduced, 307; from committee without recommendation	2340
647 Introduced, 307; from committee without recommendation	2337
648 Introduced, 307; from committee without recommendation	2337
649 Introduced, 307; from committee, 1648; read second time, 1668; read third time, passed, to Assembly, 1728; passed, in Senate, to enrollment, 2077; to Governor	2328
650 Introduced, 307; from committee, 439; read second time, 461; read third time, re-referred, 523; from committee without recommendation	2359
651 Introduced, 308; from committee, 1802; read second time, amended, 1857; read third time, passed, to Assembly	1949
652 Introduced, 308; from committee, 1159; read second time, amended, 1177; read third time, passed, to Assembly, 1295; passed, in Senate, to enrollment, 1960; to Governor	2138
653 Introduced, 308; from committee without recommendation	2352
654 Introduced, 308; from committee without recommendation	2343
655 Introduced, 309; from committee, 862; read second time, 902; read third time, passed, to Assembly, 1039; passed as amended, in Senate, 2084; Senate concurs in Assembly amendments, to enrollment, 2100; to Governor	2317
656 Introduced, 309; from committee without recommendation	2341
657 Introduced, 309; from committee, 774; read second time, amended, re-referred, 815; from committee without recommendation	2341
658 Introduced, 309; from committee without recommendation	2339
659 Introduced, 309; from committee, 1201; read second time, 1221; read third time, passed, to Assembly, 935; passed, in Senate, to enrollment, 2079; to Governor	2326
660 Introduced, 309; from committee without recommendation	2340
661 Introduced, 309; from committee without recommendation	2344
662 Introduced, 309; from committee without recommendation	2333
663 Introduced, 310; from committee without recommendation	2334
664 Introduced, 310; from committee without recommendation	2333
665 Introduced, 310; from committee, 357; read second time, 396; passed on file, 408; read third time, passed, to Assembly, 438; passed, in Senate, to enrollment, 1507; to Governor	1562
666 Introduced, 310; from committee, 925; read second time, 957; amended, 1322; read third time, passed, to Assembly, 1692; passed, in Senate, to enrollment, 2077; to Governor	2328
667 Introduced, 310; from committee without recommendation	2341
668 Introduced, 311; from committee without recommendation	2349
669 Introduced, 311; from committee without recommendation	2349
670 Introduced, 311; from committee, 859; read second time, amended, 882; read third time, passed, to Assembly, 1192; passed, in Senate, to enrollment, 2253; to Governor	2324
671 Introduced, 311; from committee, 480; read second time, amended, 498; read third time, passed, to Assembly, 563; passed, in Senate, to enrollment, 1507; to Governor	1562
672 Introduced, 311; from committee, 944; read second time, amended, re-referred, 981; from committee without recommendation	2359
673 Introduced, 311; from committee without recommendation	2359
674 Introduced, 311; from committee without recommendation	2343
675 Introduced, 311; from committee without recommendation	2344
676 Introduced, 311; from committee without recommendation	2344
677 Introduced, 312; from committee without recommendation	2337
678 Introduced, 312; from committee without recommendation	2337
679 Introduced, 312; from committee, 1215; read second time, amended, 1225; read third time, passed, to Assembly, 1328; passed as amended, in Senate, 2213; Senate concurs in Assembly amendments, to enrollment, 2214; to Governor	2320
680 Introduced, 312; from committee without recommendation	2352
681 Introduced, 312; from committee, re-referred, 1586; from committee without recommendation	2356

BILLS, SENATE—Continued.

No.	PAGE
682 Introduced, 312: from committee, 605; read second time, 614; read third time, passed, to Assembly, 733; passed, in Senate, to enrollment, 1703; to Governor-----	1823
683 Introduced, 312: from committee without recommendation-----	2335
684 Introduced, 312: from committee without recommendation-----	2337
685 Introduced, 312: from committee, 605; read second time, 614; read third time, passed, to Assembly, 733; passed, in Senate, to enrollment, 2189; to Governor-----	2320
686 Introduced, 312: from committee, 605; read second time, 614; read third time, passed, to Assembly, 733; passed, in Senate, to enrollment, 2189; to Governor-----	2320
687 Introduced, 313: from committee, 862; read second time, amended, 901; read third time, passed, to Assembly, 1285; passed as amended, in Senate, 2084; Senate concurs in Assembly amendments, to enrollment, 2278; to Governor-----	2321
688 Introduced, 313: from committee, 1108; read second time, 1123; read third time, passed, to Assembly, 1293; passed as amended, in Senate, 2214; Senate concurs in Assembly amendments, to enrollment, 2215; to Governor-----	2319
689 Introduced, 313: from committee, 1107; amended, re-referred, 1122; from committee, 1269; read second time, amended, 1312; from committee, 1397; read third time, passed, to Assembly, 1681; passed, in Senate, to enrollment, 2077; to Governor-----	2328
690 Introduced, 313: from committee, 1011; read second time, amended, 1068; read third time, passed, 1360; to Assembly, 1361; passed, in Senate, to enrollment, 2082; to Governor-----	2286
691 Introduced, 313: from committee, 1774; read second time, amended, 1808; read third time, passed, to Assembly, 1948; passed, in Senate, to enrollment, 2256; to Governor-----	2322
692 Introduced, 313: from committee, 1011; read second time, 1071; read third time, passed, to Assembly, 1250; passed, in Senate, to enrollment, 2077; to Governor-----	2328
693 Introduced, 314: from committee without recommendation-----	2359
694 Introduced, 314: from committee, 1011; read second time, 1071; read third time, passed, to Assembly, 1250; passed, in Senate, to enrollment, 2077; to Governor-----	2328
695 Introduced, 314: from committee, 955; read second time, 1015; read third time, passed, to Assembly, 1197; passed, in Senate, to enrollment, 2078; to Governor-----	2327
696 Introduced, 314: from committee, 656; read second time, amended, 1015; read third time, passed, to Assembly, 1197; passed, in Senate, to enrollment, 2078; to Governor-----	2327
697 Introduced, 314: from committee without recommendation-----	2359
698 Introduced, 314: from committee without recommendation-----	2359
699 Introduced, 314: from committee without recommendation-----	2359
700 Introduced, 314: from committee, 1244; read second time, amended, 1269; read third time, passed, to Assembly, 1330; passed as amended, in Senate, 2215; Senate concurs in Assembly amendments, to enrollment, 2216; to Governor-----	2319
701 Introduced, 314: from committee, 1245; read second time, amended, re-referred, 1273; from committee, 1362; read third time, passed, to Assembly, 1754; passed as amended, in Senate; Senate concurs in Assembly amendments, 2273; to enrollment, 2274; to Governor-----	2321
702 Introduced, 314: from committee without recommendation-----	2370
703 Introduced, 315: from committee, 614; amended, re-referred, 668; from committee, 743; read third time, passed, to Assembly, 766; passed as amended, in Senate, 2084; Senate concurs in Assembly amendments, to enrollment, 2099; to Governor-----	2331
704 Introduced, 315: from committee without recommendation-----	2351
705 Introduced, 315: from committee, 1169; read second time, 1178; read third time, passed, to Assembly, 1325; passed as amended, in Senate, 2216; Senate concurs in Assembly amendments, to enrollment, 2217; to Governor-----	2319
706 Introduced, 315: from committee, 357; read second time, 373; read third time, passed, to Assembly, 405; passed, in Senate, to enrollment, 1960; to Governor-----	2138
707 Introduced, 315: from committee without recommendation-----	2341
708 Introduced, 315: from committee, 1364; read second time, 1405; read third time, passed, to Assembly, 1870; passed, in Senate, to enrollment, 2257; to Governor-----	2322

## BILLS, SENATE—Continued.

No.	PAGE
709 Introduced, 316; from committee, 738; amended, 759; from committee, 925; read second time, 960; read third time, 1107; passed, to Assembly, 1168; passed, in Senate, to enrollment, 2257; to Governor-----	2322
710 Introduced, 316; from committee without recommendation-----	2353
711 Introduced, 316; from committee without recommendation-----	2337
712 Introduced-----	316
713 Introduced, 316; from committee, 383; read second time, amended, 409; read third time, passed, to Assembly, 1678; passed as amended, in Senate, 2088; Senate concurs in Assembly amendments, to enrollment, 2126; to Governor-----	2331
714 Introduced, 316; from committee, 1461; read second time, amended, 1475; read third time, passed, to Assembly, 1914; passed, in Senate, to enrollment, 2255; to Governor-----	2323
715 Introduced, 317; from committee without recommendation-----	2333
716 Introduced, 317; from committee, 480; read second time, amended, 498; read third time, passed, to Assembly, 597; passed, in Senate, to enrollment, 1664; to Governor-----	1822
717 Introduced, 317; from committee, 1060; read second time, 1141; read third time, passed, to Assembly-----	1292
718 Introduced, 317; from committee without recommendation-----	2341
719 Introduced, 317; from committee, 536; amended, re-referred, 542; from committee, 660; read second time, amended, re-referred, 694; from committee, 743; read third time, 768; passed, to Assembly-----	769
720 Introduced, 317; from committee, 547; read second time, amended, read third time, passed, to Assembly-----	729
721 Introduced, 317; from committee, 386; read second time, 400; read third time, passed, to Assembly, 462; passed, in Senate, to enrollment, 1394; to Governor-----	1509
722 Introduced-----	317
723 Introduced, 318; from committee, 1215; amended, re-referred, 1222; from committee, 1411; read second time, 1451; read third time, passed, to Assembly, 1558; Assembly refuses passage-----	2306
724 Introduced, 318; from committee, 1687; read second time, amended, 1713; read third time, passed, to Assembly 1818; passed, in Senate, to enrollment, 2255; to Governor-----	2323
725 Introduced, 318; from committee, 1582; read second time, amended, read third time, 1699; passed, to Assembly, 1700; passed, in Senate, to enrollment, 2257; to Governor-----	2322
726 Introduced, 318; from committee, 1244; read second time, amended, 1270; read third time, passed, to Assembly-----	1359
727 Introduced, 318; from committee, 1011; read second time, 1071; read third time, passed, to Assembly-----	1289
728 Introduced, 318; from committee without recommendation-----	2360
729 Introduced, 318; from committee without recommendation-----	2360
730 Introduced, 318; from committee without recommendation-----	2360
731 Introduced, 318; from committee, 643; re-referred, 650; from committee, 779; read second time, 837; amended, 1239; read third time, passed, to Assembly, 1355; passed, in Senate, to enrollment, 2190; to Governor-----	2317
732 Introduced, 318; from committee without recommendation-----	2343
733 Introduced, 319; from committee without recommendation-----	2353
734 Introduced, 319; from committee, 925; read second time, amended, 957; read third time, passed, to Assembly, 1193; passed, in Senate, to enrollment, 2256; to Governor-----	2322
735 Introduced, 319; from committee, 1169; read second time, 1178; read third time, passed, to Assembly-----	1456
736 Introduced, 319; from committee without recommendation-----	2335
737 Introduced, 319; from committee without recommendation-----	2335
738 Introduced, 320; from committee without recommendation-----	2335
739 Introduced, 320; from committee, 1048; read second time, 1076; read third time, passed, to Assembly-----	1289
740 Introduced, 320; from committee, 1994; read second time, amended, 2001; read third time, 2028; passed, to Assembly, 2029; passed as amended, in Senate, 2266; Senate concurs in Assembly amendments, to enrollment, 2270; to Governor-----	2321
741 Introduced, 322; from committee, 1587; read second time, amended, 1628; read third time, passed, to Assembly, 1725; passed, in Senate, to enrollment, 2256; to Governor-----	2323
742 Introduced, 322; from committee, 528; read second time, 552; read third time, 596; passed, to Assembly, 397; passed, in Senate, to enrollment, 2189; to Governor-----	2320
743 Introduced, 322; from committee without recommendation-----	2325
744 Introduced, 322; from committee without recommendation-----	2340



## BILLS, SENATE—Continued.

No.	PAGE
745 Introduced, 322; from committee without recommendation	2333
746 Introduced, 323; from committee without recommendation	2356
747 Introduced	323
748 Introduced, 323; from committee, 925; read second time, amended, 958; re-referred, amended, 1138; read third time, passed, to Assembly	1238
749 Introduced, 323; from committee without recommendation	2335
750 Introduced, 323; from committee without recommendation	2360
751 Introduced	323
752 Introduced, 324; from committee without recommendation	2351
753 Introduced, 324; from committee without recommendation	2344
754 Introduced, 324; from committee without recommendation	2360
755 Introduced, 324; from committee without recommendation	2360
756 Introduced, 324; from committee without recommendation	2345
757 Introduced, 324; from committee without recommendation	2360
758 Introduced, 324; from committee without recommendation	2360
759 Introduced, 324; from committee without recommendation	2360
760 Introduced, 325; from committee without recommendation	2360
761 Introduced, 325; from committee, 1306; amended, re-referred, 1313; from committee, 1553; read second time, amended, 1577; read third time, passed, to Assembly, 1697; passed, in Senate, to enrollment, 2189; to Governor	2320
762 Introduced, 325; from committee without recommendation	2335
763 Introduced, 325; from committee, 1599; read second time, amended, 1629; amended, 1726; amended, 1820; read third time, passed, to Assembly, 1913; passed, in Senate, to enrollment, 2253; to Governor	2324
764 Introduced, 325; from committee, 1585; read second time, amended, 1623; amended, 1724; read third time, passed, to Assembly, 1819; passed, in Senate, to enrollment, 2307; to Governor	2326
765 Introduced, 325; from committee, 642; amended, re-referred, 643; from committee, 1245; read second time, 1275; read third time, passed, to Assembly	1331
766 Introduced, 326; from committee, 643; amended, re-referred, 645; from committee, 1245; read second time, 1275; read third time, passed, to Assembly	1332
767 Introduced, 326; from committee, 643; amended, 646; re-referred, 1001; from committee, 1245; read second time, 1275; read third time, passed, to Assembly, 1332; passed as amended, in Senate, 2199; Senate concurs in Assembly amendments, to enrollment, 2200; to Governor	2319
768 Introduced, 326; from committee, 397; proposed amendments, 410; re-referred, 411; from committee, 628; read second time, amended, 669; read third time, passed, to Assembly, 847; passed, in Senate, to enrollment, 1001; to Governor	1115
769 Introduced, 326; from committee without recommendation	2345
770 Introduced, 327; from committee without recommendation	2360
771 Introduced, 327; from committee, 1410; read second time, re-referred, 1451; from committee without recommendation	2334
772 Introduced, 327; from committee without recommendation	2352
773 Introduced, 327; from committee without recommendation	2338
774 Introduced, 327; from committee, 659; read second time, amended, 673; read third time, passed, to Assembly, 992; passed as amended, in Senate, 2084; Senate concurs in Assembly amendments, to enrollment, 2098; to Governor	2331
775 Introduced, 328; from committee, re-referred, 1009; from committee without recommendation	2356
776 Introduced, 329; from committee without recommendation	2357
777 Introduced, 329; from committee without recommendation	2360
778 Introduced	329
779 Introduced	329
780 Introduced, 329; from committee, 1770; read second time, amended, 1803; read third time, passed, to Assembly, 1931; passed, in Senate, to enrollment, 2257; to Governor	2322
781 Introduced, 330; from committee, 1384; read second time, 1406; read third time, passed, to Assembly, 1876; passed, in Senate, to enrollment, 2307; to Governor	2326
782 Introduced, 330; from committee without recommendation	2360
783 Introduced, 330; from committee without recommendation	2347
784 Introduced, 330; from committee without recommendation	2335
785 Introduced, 330; from committee without recommendation	2345
786 Introduced, 330; from committee without recommendation	2345
787 Introduced, 331; from committee without recommendation	2345



## BILLS, SENATE--Continued.

No.		PAGE
788	Introduced, 331; from committee, 928; read second time, amended, re-referred, 1029; amended, 1360; read third time, 1425; passed, to Assembly, 1426; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2204; to Governor-----	2319
789	Introduced, 331; from committee without recommendation-----	2347
790	Introduced, 331; from committee without recommendation-----	2345
791	Introduced, 331; from committee without recommendation-----	2345
792	Introduced, 331; from committee without recommendation-----	2345
793	Introduced, 331; from committee, 412; read second time, amended, 425; title amended, 472; read third time, passed, to Assembly, 562; passed as amended, in Senate, 1542; Senate concurs in Assembly amendments, to enrollment, 1572; to Governor-----	1821
794	Introduced, 331; from committee, 412; read second time, 427; amended, 428; read third time, 562; passed, to Assembly, 563; passed as amended, in Senate, 953; Senate concurs in Assembly amendments, 954; to enrollment, to Governor-----	1115
795	Introduced, 382; from committee without recommendation-----	2345
796	Introduced, 382; from committee without recommendation-----	2345
797	Introduced-----	334
798	Introduced, 334; from committee without recommendation-----	2345
799	Introduced, 335; from committee, 1747; read second time, amended; 1751; read third time, passed, to Assembly, 1878; passed, in Senate, to enrollment, 2256; to Governor-----	2323
800	Introduced, 335; from committee, 1249; read second time, amended, 1278; from committee, 1362; read third time, 1428; passed, to Assembly, 1430; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2199; to Governor-----	2318
801	Introduced, 335; from committee without recommendation-----	2345
802	Introduced, 335; from committee, 1852; read second time, amended, 1861; read third time, passed, to Assembly, 1951; passed as amended, in Senate, 2274; Senate concurs in Assembly amendments, to enrollment, 2275; to Governor-----	2321
803	Introduced, 335; from committee, 1249; amended, 1278; re-referred, 1359; from committee, 1584; read second time, 1622; read third time, passed, to Assembly, 1723; passed, in Senate, to enrollment, 2189; to Governor-----	2320
804	Introduced, 306; from committee, 1599; read second time, amended, 1630; read third time, passed, to Assembly, 1726; passed as amended, in Senate, 2260; Senate concurs in Assembly amendments, to enrollment, 2261; to Governor-----	2324
805	Introduced, 306; from committee, 1249; amended, re-referred, 1279; from committee, 1585; read second time, amended, 1624; read third time, passed, to Assembly, 1757; passed, in Senate, to enrollment, 2257; to Governor-----	2322
806	Introduced, 306; from committee, 859; read second time, amended, 883; read third time, passed, to Assembly-----	1037
807	Introduced, 306; from committee, 737; amended, 749; amended, re-referred, 1056; from committee, 1160; read second time, 1178; read third time, passed, to Assembly, 1680; passed, in Senate, to enrollment, 2079; to Governor-----	2327
808	Introduced, 306; from committee, 875; read second time, amended, 929; read third time, passed, 1104; to Assembly, 1105; passed, in Senate, to enrollment, 1703; to Governor-----	1823
809	Introduced, 306; from committee, 1586; read second time, 1625; amended, 1626; read third time, passed, to Assembly, 1724; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment 2261; to Governor-----	2321
810	Introduced, 306; from committee, 1215; read second time, amended, 1225; read third time, passed, to Assembly-----	1328
811	Introduced, 306; from committee without recommendation-----	2356
812	Introduced, 336; from committee without recommendation-----	2333
813	Introduced, 337; from committee, 528; read second time, amended, 551; read third time, passed, to Assembly, 622; passed, in Senate, to enrollment, 1264; to Governor-----	1396
814	Introduced, 337; from committee, 416; read second time, amended, 455; read third time, amended, 566; passed, to Assembly, 567; passed, in Senate, to enrollment, 1664; to Governor-----	1822
815	Introduced, 337; from committee, 944; read second time, 977; amended, 978; read third time, passed, to Assembly, 1140; passed, in Senate, to enrollment, 2082; to Governor-----	2286
816	Introduced, 337; from committee without recommendation-----	2356

BILLS, SENATE—Continued.

No.	PAGE
817 Introduced, 337; from committee without recommendation	2349
818 Introduced, 338; from committee without recommendation	2360
819 Introduced, 338; from committee, 1771; read second time, amended, 1805; read third time, passed, to Assembly, 1932; passed as amended, in Senate, 2303; Senate concurs in Assembly amendments, to enrollment, 2304; to Governor	2326
820 Introduced, 338; from committee, 439; read second time, 461; read third time, passed, to Assembly	507
821 Introduced, 338; from committee, 439; read second time, 461; read third time, passed, to Assembly	507
822 Introduced, 338; from committee, 1305; read second time, amended, 1313; read third time, passed, to Assembly, 1681; passed, in Senate, to enrollment, 2189; to Governor	2320
823 Introduced, 338; from committee, 580; read second time, 612; amended, 1360; read third time, passed, to Assembly, 1478; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2298; to Governor	2325
824 Introduced	338
825 Introduced, 338; from committee, 1169; read second time, 1178; read third time, passed, to Assembly	1297
826 Introduced, 338; from committee without recommendation	2338
827 Introduced, 339; from committee without recommendation	2356
828 Introduced	339
829 Introduced, 355; from committee without recommendation	2356
830 Introduced, 356; from committee, 382; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third times, 393; passed, to Assembly, 394; passed, in Senate, to enrollment, 517; to Governor	579
831 Introduced, 357; from committee, 738; read second time, 754; read third time, passed, to Assembly, 908; passed, in Senate, to enrollment, 1961; to Governor	2138
832 Introduced, 370; from committee, 1244; read second time, amended, 1271; read third time, passed, to Assembly	1456
833 Introduced, 371; from committee, 735; read second time, 747; read third time, passed, to Assembly, 849; passed as amended, in Senate, 2084; Senate concurs in Assembly amendments, to enrollment, 2098; to Governor	2331
834 Introduced, 384; from committee, 1170; read second time, 1178; read third time, passed, to Assembly, 1297; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2200; to Governor	2319
835 Introduced, 385; from committee, 955; read second time, 1015; read third time, passed, to Assembly, 1147; passed, in Senate, to enrollment, 1703; to Governor	1823
836 Introduced, 407; from committee without recommendation	2337
837 Introduced, 407; from committee without recommendation	2335
838 Introduced, 422; from committee, 743; read second time, amended; re-referred, 807; from committee, 1176 re-referred, 1458; from committee without recommendation	2335
839 Introduced, 464; from committee, 1386; read second time, amended, 1408; read third time, passed, to Assembly, 1558; passed, in Senate, to enrollment, 2306; to Governor	2326
840 Introduced, 465; from committee, 1365; read second time, 1406; read third time, passed, to Assembly, 1478; passed, in Senate, to enrollment, 2077; to Governor	2328
841 Introduced, 465; from committee, 942; read second time, 975; read third time, passed, to Assembly, 1101; passed, in Senate, to enrollment, 2082; to Governor	2286
842 Introduced	466
843 Introduced, 467; from committee, 547; read second time, 584; read third time, passed, 619; to Assembly, 620; passed, in Senate, to enrollment, 1961; to Governor	2138
844 Introduced, 485; from committee, 742; read second time, 782; read third time, passed, to Assembly, 852; passed as amended, in Senate, 2083; Senate concurs in Assembly amendments, to enrollment, 2098; to Governor	2331
845 Introduced, 485; from committee, 629; read second time, 672; read third time, passed, to Assembly, 768; passed, in Senate, to enrollment, 2082; to Governor	2286
846 Introduced, 486; from committee, 863; read second time, 902; refused passage, 1040; reconsideration carried, amended, 1237; amended, 1252;	

## BILLS, SENATE—Continued.

No.		PAGE
	read third time, 1532; passed notice to reconsider, 1533; reconsideration refused, to Assembly, 1650; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2300; to Governor	2325
847	Introduced, 520; from committee, 1385; read second time, 1407; read third time, passed, to Assembly, 1694; passed, in Senate, to enrollment, 2079; to Governor	2327
848	Introduced, 567; from committee without recommendation	2353
849	Introduced, 568; from committee, 743; read second time, 807; read third time, passed, to Assembly, 934; passed, in Senate, to enrollment, 2082; to Governor	2286
850	Introduced, 577; from committee without recommendation	2356
851	Introduced, 578; from committee, 1269; read second time, 1312; read third time, passed, to Assembly, 1430; passed, in Senate, to enrollment, 2082; to Governor	2286
852	Introduced, 578; from committee, 1244; amended, re-referred, from committee, 1273; amended, 1855; read third time, passed, to Assembly	1951
853	Introduced, 651; from committee, 1885; read second time, 1887; read third time, passed, to Assembly	1939
854	Introduced, 641; from committee, 1305; read second time, 1312; re-referred, 1432; from committee without recommendation	2343
855	Introduced, 642; from committee, 954; read second time, 1012; read third time, 1146; passed, to Assembly, 1147; passed as amended, in Senate 2202; Senate concurs in Assembly amendments, 2203; to enrollment, 2204; to Governor	2319
856	Introduced, 642; from committee, 1688; read second time, amended, 1714; read third time, 1833; passed, to Assembly, 1834; passed as amended, in Senate, 2298; Senate concurs in Assembly amendments, to enrollment, 2299; to Governor	2325
857	Introduced, 642; from committee, re-referred, from committee, 667; read second time, amended, 980; re-referred, 1141; from committee, 1186; read third time, passed, to Assembly, 1239; passed as amended, in Senate, 2093; Senate concurs in Assembly amendments, to enrollment, 2113; to Governor	2317
858	Introduced, 667; from committee, 1172; read second time, amended, 1180; read third time, passed, to Assembly, 1456; passed as amended, in Senate, 2204; Senate concurs in Assembly amendments, to enrollment, 2213; to Governor	2320
859	Introduced, 781; from committee, 1773; read second time, 1807; read third time, passed, to Assembly, 1914; passed, in Senate, to enrollment, 2307; to Governor	2326
860	Introduced, 781; from committee, 1410; read second time, amended, 1451; read third time, passed, to Assembly, 1558; passed as amended, in Senate, 2083; Senate concurs in Assembly amendments, to enrollment, 2097; to Governor	2331
861	Introduced, 871; from committee without recommendation	2334
862	Introduced, 872; from committee without recommendation	2360
863	Introduced, 873; from committee, 1462; read second time, amended, re-referred, 1475; from committee, 1554; read third time, passed, to Assembly	1637
864	Introduced, 873; from committee, 1243; read second time, 1269; read third time, passed, to Assembly, 1329; passed, in Senate, to enrollment, 2078; to Governor	2327
865	Introduced, 877; from committee, 1584; read second time, amended, 1622; read third time, passed, to Assembly, 1816; passed as amended, in Senate, Senate concurs in Assembly amendments, 2262; to enrollment, 2263; to Governor	2324
866	Introduced, 926; from committee, 1244; read second time, amended, 1272; read third time, passed, to Assembly, 1331; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2216; to Governor	2319
867	Introduced, 926; from committee, 1244; read second time, 1269; read third time, passed, to Assembly	1329
868	Introduced, 926; from committee, 1215; read second time, amended, 1225; read third time, passed, to Assembly, 1328; passed, in Senate, to enrollment, 2082; to Governor	2287
869	Introduced, 994; from committee, 1384; read second time, 1406; read third time, passed, to Assembly, 1693; passed, in Senate, to enrollment, 2077; to Governor	2328
870	Introduced, 1093; from committee, 1269; read second time, 1312; read third time, passed, to Assembly, 1431; passed as amended, in Senate 2088; to Governor	2331



## BILLS, SENATE—Continued.

No.	PAGE
871 Introduced, 1093; from committee, 1688; read second time, 1714; read third time, passed, to Assembly, 1878; passed as amended, in Senate, 2302; Senate concurs in Assembly amendments, to enrollment, 2316; to Governor-----	2326
872 Introduced, 1094; from committee without recommendation-----	2345
873 Introduced, 1094; from committee, 1648; read second time, amended, 1669; read third time, passed, to Assembly, 1754; passed, in Senate, to enrollment, 2307; to Governor-----	2326
874 Introduced, 1095; from committee, 1269; read second time, 1312; read third time, passed, to Assembly, 1137; passed as amended, in Senate, 2088; Senate concurs in Assembly amendments, to enrollment, 2123; to Governor-----	2331
875 Introduced, 1153; from committee, 1384; read second time, 1406; read third time, passed, to Assembly, 1693; passed, in Senate, to enrollment, 2078; to Governor-----	2328
876 Introduced, 1287; from committee, 1396; read second time, 1444; read third time, passed, to Assembly, 1479; passed, in Senate, to enrollment, 2078; to Governor-----	2329
877 Introduced, 1287; from committee, 1365; read second time, 1406; read third time, 1468; passed, to Assembly, 1469; passed, in Senate, to enrollment, 2082; to Governor-----	2287
878 Introduced, 1347; from committee without recommendation-----	2360
879 Introduced, 1358; from committee, 1463; read second time, amended, 1464; re-referred, 1561; from committee without recommendation-----	2352
880 Introduced, 1358; from committee, 1463; read second time, amended, 1465; re-referred, 1561; from committee without recommendation-----	2352
881 Introduced, 1358; from committee, 1463; read second time, amended, 1466; re-referred, 1561; from committee without recommendation-----	2352
882 Introduced, 1358; from committee, 1463; read second time, amended, 1468; re-referred, 1637; from committee without recommendation-----	2352
883 Introduced, 1358; from committee, 1583; read second time, 1621; amended, 1721; read third time, passed, to Assembly, 1832; passed as amended, in Senate, 2304; Senate concurs in Assembly amendments, to enrollment, 2305; to Governor-----	2325
884 Introduced, 1512; from committee, 1582; read second time, 1621; read third time, passed, to Assembly, 1722; passed, in Senate, to enrollment, 2256; to Governor-----	2322
885 Introduced, 1512; from committee, re-referred, 1649; from committee, 1772; read second time, amended, 1806; amended, 1901; read third time, passed, to Assembly, 1953; passed, in Senate, to enrollment, 2306; to Governor-----	2326
886 Introduced, 1545; from committee, 1646; read second time, 1667; read third time, passed, to Assembly, 1727; passed, in Senate, to enrollment, 2098; to Governor-----	2329
887 Introduced, 1545; from committee, 1801; read second time, 1857; read third time, passed, to Assembly-----	1936
888 Introduced, 1548; from committee, 1648; read second time, 1668; read third time, passed, to Assembly, 1727; passed as amended, in Senate, Senate concurs in Assembly amendments, 2265; to enrollment, 2266; to Governor-----	2321
889 Introduced, 1713; from committee, 1770; read second time, amended, 1803; read third time, passed, to Assembly, 1914; passed, in Senate, to enrollment, 2256; to Governor-----	2322
890 Introduced, 1713; from committee, 1884; read second time, 1887; read third time, passed, to Assembly, 1937; passed as amended, in Senate, 2310; Senate concurs in Assembly amendments, to enrollment, 2311; to Governor-----	2325
891 Introduced, 1787; from committee, 1886; read second time, amended, 1887; read third time, passed, to Assembly, 1952; passed, in Senate, to enrollment, 2307; to Governor-----	2326
892 Introduced, 1824; from committee, 1884; read second time, 1887; read third time, passed, to Assembly, 1937; passed, in Senate, to enrollment, 2307; to Governor-----	2326
893 Introduced, 1851; from committee, 1884; read second time, 1887; read third time, passed, to Assembly, 1938; passed, in Senate, to enrollment, 2257; to Governor-----	2322
894 Introduced, without reference to committee, 1933; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third times, passed, to Assembly, 1934; passed as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2301; to Governor-----	2325



## BILLS, SENATE—Continued.

No.	PAGE
895 Introduced, without reference to committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, 1934; read second and third times, passed, to Assembly, 1935; passed, in Senate, to enrollment, 2307; to Governor -----	2326
896 Introduced, without reference to committee, made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third times, 2249; passed, to Assembly, 2250; passed, in Senate, to enrollment, 2315; to Governor -----	2324
897 Introduced, without reference to committee, 2287; made case of urgency, Art. 4, Sec. 15 of constitution suspended, read second and third times, passed, to Assembly, 2288; passed, in Senate, to enrollment, 2315; to Governor -----	2325
BLIND.	
Relating to relief funds -----	173
Duties of boards of supervisors -----	173
State department for -----	173
Separate classes in public schools -----	174
Kindergarten service for -----	174
Vocational training -----	174
BLYTHE. City of petition from -----	830
BOARD OF LAW LIBRARY TRUSTEES. Powers of -----	330
BOARD OF MEDICAL EXAMINERS. Regulating examinations -----	138
BOARD OF PAROLE COMMISSIONERS.	
Amending act relating to -----	267
Making act applicable to all jails -----	325
BOARD OF PRISON DIRECTORS. Relating to -----	217
BOARD, STATE HARBOR COMMISSIONERS.	
Relating to power of -----	111, 175, 236, 1287
Water front, San Francisco -----	111, 227
Claim of -----	140
BOARDS OF EDUCATION. Powers and duties of -----	180, 222, 264
BOARDS OF ELECTION. Appointment and duties of -----	81
BOARDS OF SCHOOL TRUSTEES. Powers and duties of -----	222, 264
BOARDS OF SUPERVISORS.	
Duties regarding needy blind -----	173
Relating to license taxes -----	179
General powers of -----	180, 227, 312
Relating to public air ports -----	217
Equalizing assessments -----	271
Respecting roads -----	485
BOARDS OF TRUSTEES. Powers and duties of -----	180
BONDS.	
Legalize by municipalities -----	97
State highway -----	97
To legalize bonds issued -----	142
Of contractors -----	217
BOOKS OF BANKS OPEN FOR INSPECTION. Relating to -----	247
BOVINE TUBERCULOSIS ACT. Creation of -----	190
BRADY, ALBERT.	
Appointed Assistant Secretary -----	50
Reappointed after constitutional recess -----	342
BREED, ARTHUR H.	
Elected President pro tempore -----	8
Remarks by -----	341
BREEN, PETER A. To pay claim of -----	249
BRIBERY. Of public officials -----	235
BRIBES. Asking and receiving of -----	269
BRIDGES.	
Sacramento river -----	100
Grading of -----	172
Construction and repair of -----	226
Appropriation for -----	328
BROKERS, REAL ESTATE. Licenses of -----	193

<b>BUILDING AND LOAN ASSOCIATIONS.</b>	PAGE
Investment of moneys with.....	224
Amending Sec. 637, C. C.....	226
Penalties for violations against.....	227
Relating to.....	239, 337
Guarantee stock dividends, reserve fund.....	240
<b>BUILDING AND LOAN COMMISSION ACT.</b>	
Amending.....	223, 239
Penalties for violation of.....	226
Full paid investment certificates.....	239
Relating to location of office of.....	329
<b>BUILDING CONTRACTOR.</b> Licensing the business of.....	324
<b>BURBANK.</b> Approving charter of.....	136
<b>BURDEN OF PROOF.</b> In certain cases.....	277
<b>BUREAU OF CRIMINAL IDENTIFICATION.</b>	
Relating to salaries of superintendent and employees of.....	305
Amending act.....	338
Sheriffs' expenses in connection with.....	1545
<b>BUREAU OF NARCOTICS.</b> Relating to.....	1094
<b>BUREAU OF PUBLIC HEALTH NURSING.</b> Establishing.....	336
<b>CALIFORNIA CRIME COMMISSION.</b>	
Defining duties of.....	235
Making appropriation therefor.....	235
<b>CALIFORNIA FRUIT AND VEGETABLE INDUSTRY.</b>	
Protecting reputation of.....	336
<b>CALIFORNIA FRUIT AND VEGETABLE STANDARDIZATION ACT.</b>	
Repealing.....	276
<b>CALIFORNIA GRAIN STANDARDIZATION ACT.</b> Repealing.....	227
<b>CALIFORNIA HIGHWAY COMMISSION.</b>	
Appropriation for bridges and railway crossings.....	328
<b>CALIFORNIA IRRIGATION DISTRICT ACT.</b>	
Construction of improvements.....	78
Amending.....	88
Compensation of officers.....	223
Delinquent assessments.....	229
<b>CALIFORNIA MANUFACTURERS.</b> Unfair discrimination against.....	327
<b>CALIFORNIA REDWOOD PARK.</b> Construction of State highway.....	84
<b>CALIFORNIA STATE BOARD OF PHARMACY.</b> Amending sections.....	222
<b>CALIFORNIA STATE PARK BONDS ACT.</b> Validating.....	1927
<b>CALIFORNIA VEHICLE ACT.</b>	
Operator's license fees.....	147
Drivers' licenses.....	149
Stopping at crossings.....	150
Identification of automobiles.....	187
Relating to headlights.....	248
Classification of movable machinery.....	281
Registration.....	282
Personal injury and property damage.....	305
Use and operation of vehicles.....	306
Amending Sec. 135.....	308
Amending Sec. 36.....	309
Amending Sec. 85.....	309
Amending Sec. 27.....	316
Providing penalties.....	317
Transferring certain powers to Department of Public Works.....	330
<b>CALIFORNIA WATER STORAGE DISTRICT ACT.</b>	
Amending and adding sections.....	229
<b>CAMPS.</b>	
Relative to auto.....	179
Relative to ventilation of.....	222
<b>CANVASSING VOTE.</b>	
For Governor and Lieutenant Governor.....	49
Ready to receive report.....	52
In joint convention.....	53
Statement of vote cast.....	54
<b>CAPITAL STOCK.</b> Of corporations.....	955
<b>CAPRI FIGS.</b> Relating to shipping of.....	175

	PAGE
CASHIER. Claim of State Harbor Commission .....	140
CEMETERY CORPORATIONS. Relating to .....	239
CHAIR CAR FARES. Prohibiting surcharge and surtax on .....	204
CHALLENGES TO INDIVIDUAL JURORS. In criminal cases .....	235
CHAPLAIN. Rev. Bryant Wilson elected Chaplain .....	10
CHARGING JURIES. Relating to manner of .....	232
CHECKS AND DRAFTS.	
Drawing and uttering of .....	249
Insufficient funds in payment of .....	324
CHILDREN WITH IMPAIRED HEARING. Reports made concerning .....	227
CITY COUNCILS. License taxes .....	179
CITY HEALTH OFFICIALS. Relating to .....	243
CIVIL ACTIONS AND PROCEEDINGS. Relating to pleadings .....	187
CIVIL SERVICE. Adding new section .....	339
CIVIL SERVICE COMMISSION. Amending act .....	79, 465
CLAIMS AGAINST COUNTIES. Records thereof .....	244
CLAIMS AGAINST STATE.	
Antoinette O'Brien .....	175
Edward J. Kelley .....	283
P. H. Kerrigan .....	222
Richard Kittrelle .....	307
Vina Rais .....	268
CLASSIFICATION ACT. Relating to .....	303
CLOTHES CLEANING ESTABLISHMENTS. Reducing fire hazards of .....	310
CODES. Secretary of Senate authorized to purchase .....	108
COLLECTION AGENTS. Defining and relating to .....	264
COLLECTION OF MONEY BY HEIRS. Relating to .....	240
COLLEGES. Consolidation of .....	385
COLLEGES AND SEMINARIES. Incorporation of .....	305
COLLINS, L. B. Reconveyance of property to .....	330
COLORADO RIVER.	
Message from Governor .....	81
Senate joint resolution .....	82
Appointment of committee .....	83
COLORADO RIVER COMPACT. Approving and ratifying .....	300
COLORADO RIVER COMMITTEE. Report of .....	1877
COMMERCE AND TRADE. Trusts and combinations in restraint of .....	180
COMMERCIAL FEEDING STUFFS. Amending act .....	188
COMMISSION ON UNIFORM LAWS.	
Creation of .....	177
Powers and duties of .....	177
COMMISSIONERS.	
State Harbor, Board of .....	111, 175
State Real Estate Department .....	193
Salaries of horticultural commissioners .....	194
COMMISSIONS.	
On uniform laws .....	177
On juvenile delinquency .....	180
COMMITTEE.	
Appointing standing committee .....	118
Personnel of .....	128
COMMITTEE MEETINGS. Schedule of .....	128
COMMITTEE OF THE WHOLE.	
Consideration of Assembly Bills Nos. 1263 to 1266 .....	1525
COMMONWEALTH CLUB. Address of Senator H. C. Jones .....	104
COMMUNITY PROPERTY.	
Relating to .....	268, 311
Voidable disposition of .....	277
Rights of surviving spouse .....	278
Respective interests .....	279
COMPENSATION. Disability, for State employees .....	203
COMPENSATION INSURANCE FUND. Relating to a .....	331

CONCURRENT RESOLUTIONS, ASSEMBLY.

No.	PAGE
1 Consideration of, 49; adopted, to Assembly.....	50
2 In Senate, to committee, 150; considered, without reference to committee, adopted, 181; to Assembly.....	182
3 Introduced and referred to committee, 211; from committee without recommendation.....	258
4 In Senate, without reference to committee, adopted, to Assembly.....	196
5 In Senate, without reference to committee, adopted, to Assembly.....	136
7 In Senate, without reference to committee, adopted, to Assembly, 195; Senate adjourns under provisions of, 340; Senate reconvenes under provisions of.....	341
8 In Senate, 170; without reference to committee, 294; adopted, to Assembly.....	300
9 In Senate, without reference to committee, 211; adopted, to Assembly.....	300
10 Introduced and referred to committee.....	211
11 In Senate, without reference to committee, adopted, to Assembly.....	238
12 In Senate, without reference to committee, adopted, to Assembly.....	257
14 In Senate, 258; without reference to committee, adopted, to Assembly.....	273
16 In Senate, to committee, 282; from committee, recommendation; be adopted as amended, adopted, 291; to Assembly, 292; Assembly concurs in amendments, 329; committee appointed, 334; report of committee.....	441
17 In Senate, to committee, 1370; from committee, 1410; read, adopted, to Assembly.....	1485
18 In Senate, 332; without reference to committee, 333; adopted, to Assembly.....	334
19 In Senate, to committee, 918; from committee, 1176; read, amended, 1374; read, adopted, to Assembly, 1434; Assembly concurs in Senate amendments.....	1569
21 In Senate, to committee, 569; re-referred, 1410; from committee without recommendation.....	2339
22 In Senate, to committee, 952; from committee, 1469; adopted, to Assembly.....	1340
25 In Senate, to committee, 1264; from committee, 1460; read, adopted, to Assembly.....	1495
26 In Senate, to committee, 1264; from committee, 1645; read, adopted, to Assembly.....	1788
27 In Senate, to committee, 1394; adopted, to Assembly.....	1395
28 In Senate, without reference to committee, read, adopted, to Assembly.....	1614
29 In Senate, to committee.....	1370
30 In Senate, to committee, 1707; from committee, 2072; read, 2246; amended, 2247; read, 2295; adopted, to Assembly, 2296; Assembly refuses to concur in Senate amendments, 2312; Senate refuses to recede, Conference Committee, 2313; Assembly adopts report, 2314; Senate adopts report, to Assembly.....	2315
31 In Senate, to committee, 1491; from committee, amended, 1601; read, adopted, to Assembly.....	1600
32 In Senate, to committee, 1614; from committee, 1925; read, adopted, to Assembly.....	2016
33 In Senate, to committee, 1940; from committee, 2044; read, adopted, to Assembly.....	2155
34 In Senate, to committee, 1998; from committee without recommendation.....	2332
35 In Senate, to committee, 1995; from committee without recommendation.....	2356
36 In Senate, to committee, 2188; from committee, 2252; read, adopted, to Assembly.....	2289

CONCURRENT RESOLUTIONS, SENATE.

No.	
1 Introduced, without reference to committee, adopted, to Assembly, 19; adopted, in Senate, to enrollment, 50; to Governor.....	130
2 Introduced and referred to committee, 65; withdrawn from committee, adopted, to Assembly, 100; adopted, in Senate, to enrollment, 103; to Governor.....	131
3 Introduced, without reference to committee, 66; adopted, to Assembly, 67; adopted, in Senate, to enrollment, 83; to Governor.....	130
4 Introduced, 85; considered, without reference to committee, adopted, to Assembly, 186; adopted, in Senate, to enrollment, 210; to Governor.....	339
5 Introduced, without reference to committee, adopted, to Assembly, 112; adopted, to enrollment, 143; to Governor.....	186
6 Introduced, without reference to committee, 112; adopted, to Assembly, 113; adopted, in Senate, to enrollment, 142; to Governor.....	186
7 Introduced and referred to committee, 132; consideration of, without reference to committee, adopted, to Assembly, 181; adopted, in Senate, to enrollment, 196; to Governor.....	240
8 Introduced, without reference to committee, adopted, to Assembly, 134; adopted, in Senate, to enrollment, 143; to Governor.....	186



## CONCURRENT RESOLUTIONS, SENATE—Continued.

No.	PAGE
9 Introduced, 141; read, adopted, to Assembly, 151; adopted, in Senate, to enrollment, 196; to Governor.....	240
10 Introduced, without reference to committee, 144; adopted, to Assembly, 145; adopted, in Senate, to enrollment, 195; to Governor.....	204
11 Introduced, without reference to committee, adopted, to Assembly, 145; adopted, in Senate, to enrollment, to Governor.....	204
12 Introduced, without reference to committee, 170; adopted, to Assembly, 171; adopted, in Senate, to enrollment, 211; to Governor.....	339
13 Introduced and referred to committee.....	217
14 Introduced, without reference to committee, 236; adopted, to Assembly, 237; adopted, in Senate, to enrollment, 329; to Governor.....	333
15 Introduced and referred to committee, 282; from committee, 1115; read, adopted, to Assembly, 1291; adopted, in Senate, to enrollment, 1539; to Governor.....	1701
16 Introduced and referred to committee, 283; from committee, 1244; withdrawn and stricken from file, 1326; from committee without recommendation.....	2350
17 Introduced and referred to committee, 328; from committee, 1160; read second time, amended, 1178; read, adopted, 1295; to Assembly, 1296; adopted, in Senate, to enrollment, 1943; to Governor.....	2138
18 Introduced and referred to committee, 330; from committee without recommendation.....	2356
19 Introduced and referred to committee, 352; from committee, 390; adopted, to Assembly, 409; adopted as amended, 1943; Senate concurs in Assembly amendments, to enrollment, 1944; to Governor.....	2136
20 Introduced and referred to committee, 440; from committee, 1648; read, 1818; adopted, to Assembly, 1819; adopted as amended, in Senate, Senate concurs in Assembly amendments, 2263; to enrollment, 2264; to Governor.....	2321
21 Introduced, 956; from committee without recommendation.....	2351
22 Introduced and referred to committee, 568; from committee, 1169; read, 1555; adopted, to Assembly.....	1556
23 Introduced and referred to committee, 916; from committee, 1364; read, amended, 1405; read, adopted, to Assembly.....	1557
24 Introduced and referred to committee, adopted, to Assembly, 956; adopted, in Senate, to enrollment, 1265; to Governor.....	1346
25 Introduced and referred to committee, 1153; from committee, 1505; amended, 1514; read, 1599; adopted, to Assembly, 1600; adopted, in Senate, to enrollment, 2254; to Governor.....	2321
26 Introduced, without reference to committee, 1409; adopted, to Assembly, 1410; adopted, in Senate, to enrollment, 1664; to Governor.....	1822
27 Introduced, without reference to committee, read, adopted, to Assembly, 1490; adopted, in Senate, to enrollment, 1797; to Governor.....	1925
28 Introduced, without reference to committee, read, adopted, to Assembly, 1691; adopted, in Senate, to enrollment, 1775; to Governor.....	1925
29 Introduced, without reference to committee, 1935; read, adopted, to Assembly, 1926; adopted, in Senate, to enrollment, 2189; to Governor.....	2318
CONDITIONAL SALES. Relating to.....	228
CONFIDENTIAL COMMUNICATIONS. Relating to.....	357
CONGRESSIONAL REAPPORTIONMENT. Of the United States.....	1341
CONSTITUTIONAL AMENDMENTS. For the printing of.....	146
CONSTITUTIONAL AMENDMENTS, ASSEMBLY.	
No.	
20 In Senate, to committee, 835; from committee, 1248; refused adoption.	2226
21 In Senate to committee, 1240; from committee, 1464; read, 1837; adopted, to Assembly.....	1838
22 In Senate, to committee, 1110; from committee without recommendation.....	2349
26 In Senate, to committee, 1219; from committee, 1885; read, 2059; adopted, 2060; to Assembly.....	2061
27 In Senate, to committee, 1606; from committee, 1993; read, amended, 1998; read, 2066; amended 2067; adopted, to Assembly, 2068; Assembly concurs in Senate amendments.....	2095
28 In Senate, to committee, 1110; from committee, 1463; re-referred, 1472; from committee, 1502; amended, re-referred, 1503; from committee without recommendation.....	2349
31 In Senate, to committee, 1440; from committee, 1647; read, adopted, to Assembly.....	1789
34 In Senate, to committee, 1995; from committee, 2131; read, amended, 2159; read, 2247; refused adoption.....	2247
35 In Senate, to committee, 1995; from committee, 2142; read 2247; adopted, to Assembly.....	2248

CONSTITUTIONAL AMENDMENTS, SENATE.

No.		PAGE
1	Introduced and referred to committee, 97; from committee without recommendation	2348
2	Introduced and referred to committee, 171; from committee without recommendation	2348
3	Introduced and referred to committee, 198; from committee, 443; amended, 509; adopted, to Assembly, 729; refused adoption	1218
4	Introduced and referred to committee, 198; from committee	1885
5	Introduced and referred to committee, 216; from committee, 628; read, 1762; adopted, to Assembly, 1763; adopted as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 2264; to Governor	2322
6	Introduced and referred to committee, 216; from committee without recommendation	2348
7	Introduced and referred to committee, 216; from committee without recommendation	2348
8	Introduced and referred to committee, 216; from committee, 1106; amended, 1429; read, refused adoption	1581
9	Introduced and referred to committee, 216; from committee, 745; adopted, 906; to Assembly, 907; as amended, in Senate, Senate concurs in Assembly amendments, to enrollment, 1955; to Governor	2137
10	Introduced and referred to committee, 216; from committee, 1055; amended, 1081; refused adoption	1361
11	Introduced and referred to committee, 217; from committee	1055
12	Introduced and referred to committee, 217; from committee, 745; amended, 911; re-referred, 914; from committee, 1115; amended, 1163; read, amended, 1294; read, 1759; adopted, to Assembly, 1762; adopted, in Senate, to enrollment, 2190; to Governor	2318
13	Introduced and referred to committee, 270; from committee without recommendation	2348
14	Introduced and referred to committee, 277; from committee without recommendation	2348
15	Introduced and referred to committee, 286; from committee without recommendation	2348
16	Introduced and referred to committee, 302; from committee, 1061; read, adopted, to Assembly, 1458; adopted, in Senate, to enrollment, 2079; to Governor	2287
17	Introduced and referred to committee, 302; from committee, 860; refused adoption	1036
18	Introduced and referred to committee, 328; from committee, 859; read, amended, re-referred, 884; from committee, 1306; read, amended, 1314; from committee, 1463; read, adopted, to Assembly, 1635; adopted as amended, in Senate, 2201; Senate concurs in Assembly amendments, to enrollment, 2202; to Governor	2318
19	Introduced and referred to committee, 339; from committee without recommendation	2348
20	Introduced and referred to committee, 363; from committee without recommendation	2348
21	Introduced and referred to committee, 392; from committee, 875; adopted, to Assembly, 1242; adopted, in Senate, to enrollment, 1539; to Governor	1701
22	Introduced and referred to committee, 410; from committee, 860; amended, re-referred, 887; from committee, 1061; amended, 1119; read, adopted, to Assembly, 1292; adopted, in Senate, to enrollment, 1570; to Governor	1701
23	Introduced and referred to committee, 610; from committee, 1885; read, 1938; refused adoption	1945
24	Introduced and referred to committee, 776; from committee, 860; adopted, to Assembly, 991; adopted, in Senate, to enrollment, 2076; to Governor	2287
25	Introduced and referred to committee, 776; from committee without recommendation	2348
26	Introduced and referred to committee, 837; from committee, 1061; read, 1253; adopted, to Assembly, 1257; adopted as amended, Senate concurs in Assembly amendments, to enrollment, 1955; to Governor	2137
27	Introduced and referred to committee, 999; from committee, 1499; read, amended, 1637; read, adopted, to Assembly, 1757; adopted, in Senate, to enrollment, 2308; to Governor	2324
28	Introduced and referred to committee, 1104; from committee, 1248; re-referred	1817
29	Introduced and referred to committee, 1104; from committee without recommendation	2348

## CONSTITUTIONAL AMENDMENTS, SENATE—Continued.

No.	PAGE
30 Introduced and referred to committee, 1116; from committee without recommendation	2349
31 Introduced and referred to committee, 1580; from committee, 1885; read, adopted, to Assembly	1939
32 Introduced and referred to committee, 1611; from committee, 1885; re-referred	1938
33 Introduced, without reference to committee, read, adopted, to Assembly, 1927; adopted, in Senate, to enrollment, 2190; to Governor	2318

## CONSTITUTION, STATE OF CALIFORNIA.

Amending section 2, Art. IV of	363
Amending section 22, Art. IV of	392
Amending section 7, Art. XII of	410
Adding section to Art. XVI	776
Adding section 37 to Art. IV	776
Amending sections 2, 3 and 7, Art. IX	837
Amending section 5 to Art. XI	1000
Adding section 6½ to Art. VI	1104
Amending section 11 to Art. VI	1104
Amending sections 1, 2, 3, 4, Art. VI	1116
Amending section 25½, Art. IV	1580
Amending Art. VI	1612
Adding section 7 to Art. XVI	1927

## CONSTITUTIONAL RECESS.

Committee to notify Governor	339
Committee to notify Assembly	340
Adjournment for	340
Reconvened after	341

## CONTINGENT EXPENSES.

Postage, expressage, etc.	50, 349, 512, 861, 1424, 1683, 2020,	2283
Expenses	116, 272, 290, 860, 1424, 1775, 2020, 2282,	2283
Mileage		170, 369
For mailing during recess		290
For investigation of enforcement of Sec. 421a of Civil Code		374
For completing work of session		2282

## CONTRA COSTA COUNTY. Salary of superior judge in

279

## CONTRACTS. Preference on public

98

## CONVEYANCE OF PROPERTY. Relating to sale and

283

## CONVEYANCES.

Relating to defects in, referring to maps	188
And sale of property	283

## CONVICT LABOR. Investigation of

1935

## CORONER. Fees and duties of

191, 192

## CORPORATE MEETINGS. Relating to place of

249

## CORPORATION COMMISSIONER. Relating to salary of

994

## CORPORATIONS.

Transfer of stocks and shares in	176
Relating to nonprofit, cooperative corporations	177
Formation of, for receiving and administering bequests	188
Amending act	219
Relating to	274, 313,
Organized to construct toll bridges	317

## COSMETICIANS. Regulating

131

## COUNTY CHARGES.

Amending	173
Relating to	181
Amending Sec. 4307, P. C.	227

## COUNTY FAIR BUILDINGS. Relating to building of

317

## COUNTY FIRE PROTECTION DISTRICTS.

Formation and dissolution of	313
------------------------------	-----

## COUNTY OFFICERS.

Salaries of	79, 146, 248, 264,	1000
Sheriff's special fund		173
Horticultural commissioners, duties		175
Court reporters, fees of		176
Absence of		282
Salaries in counties of 55th class		1093
Salaries in counties of 54th class		1095

# INDEX TO SENATE JOURNAL.

2429

	PAGE
COUNTY PARK COMMISSIONS. Establishment of	278
COUNTY SUPERINTENDENT OF SCHOOLS. Duties of	244, 274
COUNTY SURVEYORS.	
Duties of	244, 274
Records of	
COURT REPORTERS. Fees of	218
COURTS.	
Grading of	176
Changing grade of	
CREDIT UNIONS. Defining	172
CREIGHTON, SENATOR JOHN. Adjournment in respect of	186
CRIME. Relating to sentences for	146
CRIMINAL IDENTIFICATION. Expenses for	21
CRIMINAL OFFENSES.	309
Punishment of	1545
Trials of	
CRIMINAL PROCEDURE. Report of commission	234
CRIMINAL SYNDICALISM AND SABOTAGE. Revising act	234
CRYSTAL PIER AMUSEMENT CO. Granting easement to	152
CUSTODY OF DEAD BODIES. Relating to	250
	1851
	192
DAMAGES CAUSED BY LIVE STOCK. Liability for	
DAY OF REST. Permission to work more than six days in seven	228
DEAD BODIES. Custody of	323, 330
DEALERS IN SEEDS. Licensing of	192
DECEASED PERSONS.	260
Succession to property of	
Settlement of estates of	131
Execution of mortgages and trust deeds	131
Partial distribution of estates of	179
DECEDENTS.	314
Succession to property of	
Settlement of estates of	131
Execution of mortgages and trust deeds	131
Partial distribution of estates of	179
DECEDENTS' ESTATES.	314
Notice to creditors	
Conveyances by executors	314
DECIDUOUS FRUIT EXPERIMENT STATION. Establishing	314
DEEDS. Defects in, referring to maps.	336
DEER. Hunting of	188
DEFENDANT BEFORE MAGISTRATE. Time limit	228
DEFENDANT'S ANSWER. Relating to	234
DELINQUENT TAXES. Partial redemptions	178
DEL NORTE. Salaries of superior judge	228
DEMURRERS. Relating to effect of overruling	147
DEPARTMENT OF AGRICULTURE. Relating to	232
DEPARTMENT OF FINANCE. Relating to a	146
DEPARTMENT OF HEALTH. Relating to a	330, 331
DEPARTMENT OF INSTITUTIONS.	331
Amending sections. Political Code	
Granting right of way for sewer pipes	197
DEPARTMENT OF LABOR. Location of offices of	226
DEPARTMENT OF NATURAL RESOURCES. Relating to a	335
DEPARTMENT OF PUBLICITY.	332
Creating	
Petitioning Congress relative to establishment of	324
DEPARTMENT OF PUBLIC WORKS.	328
Relating to the	
Transferring powers to	331
Supervision of ports by	332
DEPARTMENT OF SOCIAL WELFARE. Relating to a	338
DEPENDENT CHILDREN. Transportation to homes outside State	331
	245



	PAGE
DEPOSITORY FUNDS. In cities of the sixth class in banks .....	316
DEPOSITS IN BANKS. Authorizing and controlling .....	133
DEPUTIES. Relating to appointment of .....	312
DETECTIVE AGENCIES. Regulating business of .....	667
DEVELOPMENT OF FARM INDUSTRY. Protecting State's reputation in .....	276
DEVICES.	
For charitable purposes .....	338
Relating to restrictions on .....	370
DIRECT PRIMARY LAW. Relating to presidential elections .....	251
DIRECTOR OF AGRICULTURE.	
To cooperate with U. S. Department of Agriculture .....	276
DISABILITY COMPENSATION. Relating to State employees .....	203
DISCHARGE OF DEFENDANT IN CRIMINAL CASE. Allowance on bail .....	230
DISTRIBUTION OF ESTATES. To nonresident persons .....	315
DISTRICT COURTS OF APPEAL.	
Salaries of employees .....	188
Salaries of justices .....	189
DISTRICTS.	
California Irrigation District Act .....	78, 88
Irrigation .....	78, 174, 356
Utility .....	132
Municipal utility .....	132, 133
Relating to fish and game .....	172, 194
Relating to water .....	173
Relating to school .....	180
Relating to joint highway districts .....	189
Relating to park, recreational .....	198
Mosquito abatement .....	283
County fire protection .....	313
DONATIONS. Formation of corporations to receive and administer .....	188
DRAINAGE.	
Relating to an act to promote .....	323, 642
Relating to Sacramento and San Joaquin districts .....	422
DRUGS. Regulating traffic therein .....	187
EASEMENTS. Granting of .....	1851
EDUCATION.	
Separate classes for blind .....	174
Vocational training for blind .....	174
Religious instruction .....	174
Computation of time .....	175
Sectarian books, teaching in schools .....	175
Creating commission to codify laws .....	175
Salaries of teachers .....	177
Relating to powers of boards of .....	180, 837
Appropriation for .....	286
Beyond high school grade .....	338
Kindergarten service for blind .....	174
EL CENTRO. Petition from board of trustees of city of .....	346
ELECTIONS.	
Propositions voted thereon .....	150
Relating to judicial offices .....	329
Relating to election of two or more judges or justices .....	187, 274
Election of electors and conduct of .....	285
ELECTORS.	
Registration of .....	140
Amending act .....	339
ELECTRIC POWER WORKS. Installation of .....	132
ELEMENTARY SCHOOLS.	
Separate classes for blind .....	174
Vocational training for blind .....	174
Religious instruction .....	174
Computation of time .....	175
Sectarian books, teaching in .....	175
Salaries of teachers .....	177
ELK. Relating to the killing of .....	339

EMINENT DOMAIN.		
Taking of land by		PAGE
Proceedings in		302
EMPLOYEES.		318
Safety of		
Providing watches for railroad	148,	189
Relating to health of, railroad		171
Salaries of District Courts of Appeal		171
Disability compensation of State		188
In controller's office		203
EMPLOYEES' LOSSES. By railroad companies		219
EMPLOYMENT.		148
Outside State		
Relating to agencies		98
EMPLOYMENT AGENCIES.	109, 110, 176,	178
Amending acts		
Relating to acceptance fees	109,	110
Defining terms of act		176
Definition of		176
ENGINEERS. Municipal corporations providing for duties of		218
ENTIRE CITY BENEFITED. Relating to when		567
ENTRY OF JUDGMENTS AND ORDERS. Relating to notices of		194
ESCHEAT. Moneys collected by public utilities		873
ESTATES.		
Relating to property of decedents or persons under guardianship		179
Of incompetent wards, relating to		189
ESTATE TAX ACT. Creating		315
ESTRAYS. Excepting certain counties from provisions of act		194
EUREKA. Tide and submerged lands		146
EXAMINERS AND EXAMINATIONS. Of insurance companies		311
EXECUTORS.		
Relating to		
Accounts of	140,	338
Relating to mortgage, lease or sale of property by		278
EXPLANATION OF VOTE. By Senator Swing		314
		303
FAIRFIELD. Repaving highway		147
FAIRS.		
Relating to assistance of local		187
Amending act		190
Relating to county and district		223
FALSE ENTRIES. Relating to		247
FEATHER RIVER. Relating to flood control of		190
FEDERAL EMPLOYEES. Relating to retirement of		303
FEEES.		
Operator's license		147
Of jurors		149
Of court reporters		176
Relating to coroners'		191
Relating to jurors		191
In municipal courts		218
Of officers in counties, 15th class		226
FEMALES. Hours of labor for		138
FIGS. Capri, relating to shipping		175
FILING OF INFORMATION. In criminal cases		234
FIREARMS. Regulating possession of		265
FIRE DEPARTMENTS. Relating to		189
FISH.		
Shipment of		147
Relating to protection of	180, 245,	280
Licenses of canners		225
Relating to licenses	226, 229, 244, 281,	245
Fishing at night		244
Relating to districts	244, 305, 172,	194
Vocation of dealing in		245
Relating to	265, 268, 277,	318
Tonnage tax		268

FISH--Continued.	
Words and phrases used in laws	PAGE 280
Adds section to act	281
Importation of	281
Relating to conservation of supply of	466
FISH AND GAME.	
Amending act	132, 140, 244
Shipment of	147
Boundaries of districts	172
Bag limit	173
Relating to districts 1 and 42	194
Protection of fish	225
Relating to licenses of fish cannery	225
Relating to licenses	226, 229, 244, 245, 281
Hunting of deer	228
Districts 20 and 20 "A"	244
Predatory animals	245
Fishing and hunting at night	244
Creating "Game Bounty Fund,"	244
Protection of	244
Vocation of dealing in	244, 245, 263, 334
Relating to	245
Tonnage tax	265, 268, 277, 318
Words and phrases of laws	268
Importation of	280
Migratory waterfowl	281
Relating to districts	286
Protest against lobbyist	305, 1580
	1790
FISH AND GAME COMMISSIONERS.	
Relating to powers and duties of	280
Control of predatory fish and animals	280
Restriction of	280
Location of office of	329
FITTS, LIEUTENANT GOVERNOR BURON R.	
Administered oath of office	63
Appointment of committee by	260
Appointment of Pages by	351
Appoints Senator Handy to succeed Ingram on committee	397
Recommending vote on Senate Bill No. 896	2250
Recommending vote on Senate Bill No. 897	2288
FITTS, MRS. BURON. Communication of appreciation	868
FIXED SIGNALS. Relating to	219
FLOOD CONTROL. Relating to	190
FOODS. Regulating traffic therein	187
FOODSTUFFS.	
Relating to products sold in sacks	310
Relating to grain sold in sacks	322
FORECLOSURE PROCEEDINGS. Relating to oath of commissioner	219
FOREIGN CORPORATIONS. Relating to certificates	219
FOREIGN INSURANCE CORPORATIONS. Relating to taxation	198
FORFEITURE. Relating to enforcement by action	311
GAMBLING ESTABLISHMENTS. Declaring nuisances	316
GAME.	
Migratory birds	52
Relating to protection of	194, 245, 323
Relating to hunting of deer	228
Hunting at night	244
Game Bounty fund	244
Vocation of dealing in	245
Relating to	265, 268, 277, 318
Tonnage tax	318
Importation of	268
Migratory waterfowl	281
GAME BOUNTY FUND. Creating	286
GAME WARDENS. Relating to	244
GASOLINE. Regulate business of producing	338
GAS WORKS. Installation of	78
GATES, SENATOR W. F. Adjournment in respect of	132
	21

	PAGE
GENERAL VERDICTS. Relating to.....	231
GEORGE WASHINGTON CELEBRATION. Relating to .....	580
GIFTS. Formation of corporations to receive and administer.....	188
GOOD FRIDAY. Observance of.....	1560
GOVERNMENT. Appropriation for support of State .....	210
GOVERNMENT EMPLOYEES. Relating to pay increases of .....	304
GOVERNOR'S CAMP. Construction of State highway .....	84
GOVERNOR'S COUNCIL. Relating to.....	330
GOVERNOR'S MESSAGES.	
Second biennial message .....	21
Colorado River .....	81
Budget .....	206
Recommending passage Assembly Bill No. 142 .....	260
Recommending passage Assembly Bill No. 268 .....	261
Recommending passage Senate Bill No. 144 .....	266
Appointing harbor commissioners .....	344
Recommending passage Assembly Bill Nos. 962-969 .....	354
Recommending passage Assembly Bill No. 970 .....	361
Return Senate Bill No. 202 without approval.....	1112
Return Senate Bill No. 221 without approval.....	1265
Relating to revenue and taxation.....	1327
Return Senate Bill No. 323 without approval.....	1400
Return Senate Bill No. 134 without approval.....	1400
Recommending Assembly Bill No. 1197 .....	1604
GOVERNOR'S SUBPENA. Relating to failure to comply with.....	230
GRADE CROSSING ACCIDENTS. Creation of committee for study of.....	916
GRAND ARMY OF THE REPUBLIC.	
Printing report of.....	141
Petition from .....	1116
GRAND JURIES.	
Relating to .....	233, 319
Relating to transcript.....	233
GRAND LARCENY. Amending Section 487 P. C. ....	80
GRANTING OF PROBATION AFTER CONVICTION. Relating to .....	231
GROUNDS FOR NEW TRIALS.	
Relating to .....	231
Providing modification of verdicts.....	231
Relating to effect of order for.....	231
GUARDIANS.	
Nomination and removal of.....	132
Relative to authority to execute mortgages, deeds of trust.....	179
Accounts of .....	278
GUARDIANSHIP. Relating to letters of.....	338
GUN CLUBS. License fee charged.....	318
HABITUAL CRIMINALS. Relating to punishment of .....	235
HABEAS CORPUS CASES. Relating to appeals in .....	229
HAIRDRESSERS. Regulating .....	131
HEALTH DISTRICTS. Providing for.....	316, 667
HEALTH SUPERVISION. Relating to .....	317
HIGH SCHOOL BOARDS. Meeting places of .....	140
HIGH SCHOOL DISTRICTS.	
Relating to .....	249
Exclusion of school districts annexed to.....	318
HIGHWAYS.	
Declaring State highways .....	172, 175, 187, 190
Relating to joint highway districts .....	189
Relating to county .....	227
Relating to width of.....	873
HOLLISTER. Road survey .....	97
HOMESTEAD ACT. Amending .....	79
HORTICULTURAL ASSOCIATIONS. Relating to nonprofit, cooperative.....	177



<b>HORTICULTURAL COMMISSIONERS, COUNTY.</b>	<b>PAGE</b>
Defining powers and duties	175
Relating to Capri figs	175
Relating to salaries of	194
Relating to offices of	245
Salaries of commissioners and employees	249, 280
Salaries in counties of forty-second class	310
Salaries in counties of fortieth class	311
<b>HOSPITAL DISTRICTS.</b> Providing for formation of	269
<b>HOTEL.</b> Unlawful use of word	324
<b>IDAHO, STATE OF.</b> Communication from	1666
<b>IDENTIFICATION OF CRIMINALS.</b> Amending act	285
<b>IMMIGRATION POLICY.</b> Of the United States	440
<b>IMPROVEMENT ACT OF 1911.</b> Amending	225
<b>IMPROVEMENT BONDS.</b> Amending	220
<b>INAUGURATION CEREMONIES.</b>	
Committee appointed	19
Completion of	57
<b>INCLUSION OF TERRITORY.</b> Relating to	224
<b>INCOMPETENT WARDS.</b> Relating to estates of	189
<b>INDETERMINATE SENTENCE LAW.</b> Relating to sentences under	231
<b>INDIANS.</b>	
Relating to policy of caring for	213
Relating to federal appropriations	223
<b>INDICTMENTS AND INFORMATIONS.</b>	
Relating to	233
Pleading prior convictions in	233
Providing for filing of supplemental information	233
Relating to sufficiency of	233
Relating to pleadings and form of	233
In criminal cases	233
Relating to prior convictions in	235
<b>INDUSTRIAL HOME FOR ADULT BLIND.</b> Granting right of way	111
<b>INDUSTRIAL RELATIONS.</b>	
Relating to a department of	331
Offices of	335
<b>INHERITANCE TAX ACT.</b>	
Relating to	112
Amending and adding	219
Repealing	315
Amending and adding	327
<b>INNKEEPERS.</b> Liability of	324
<b>INSANE PERSONS.</b> Amending act relative to	218
<b>INSANITY AS DEFENSE.</b> Procedure when defendant claims	232
<b>INSURANCE.</b> Relating to mortgage	315
<b>INSURANCE AGENTS.</b> Relating to licensing of	265
<b>INSURANCE CARRIER.</b> Actions against	80, 264, 337
<b>INSURANCE COMMISSIONER.</b>	
Relative to salaries of	80, 111
Persons and corporations transacting business	111
Suspend certificate of authority	111
Fees for services rendered	111
Location of office of	335
<b>INSURANCE COMPANIES.</b>	
Promotion of	80
Relating to insolvency of	319
<b>INTOXICATING LIQUORS.</b> Relating to	337
<b>INTRASTATE TRAFFIC.</b> Apparatus or vehicles employed in	239
<b>IRRIGATION DISTRICT BONDS.</b> Purchase by State of	278
<b>IRRIGATION DISTRICTS.</b>	
Organization of	78
Amends act	174
Boards of directors, powers of	356
<b>JACKSON, CHARLES M.</b> Memorial resolution to	348
<b>JOHN MUIR TRAIL.</b> Construction of	80

JOHNSON, SENATOR HIRAM W. Visits Legislature-----	PAGE 1463
JOINT CONVENTION.	
Of Senate and Assembly-----	53, 55
Report of joint committee-----	56
JOINT RESOLUTIONS, ASSEMBLY.	
No.	
1 In Senate, adopted, 83; to Assembly-----	84
2 In Senate, to committee, 211; without reference to committee, amended, adopted, to Assembly, 292; Assembly concurs in amendments-----	329
3 In Senate, to committee, 871; from committee, 1201; adopted, to Assembly-----	1341
4 Introduced and referred to committee, 478; from committee, 578; adopted, 623; to Assembly-----	625
5 Introduced and referred to committee, 478; from committee without recommendation-----	2339
6 In Senate, without reference to committee, adopted, 293; to Assembly-----	294
7 In Senate, to committee, 282; from committee, 320; amended, 321; adopted, to Assembly, 322; Assembly concurs in amendments-----	332
9 In Senate, without reference to committee, adopted, 301; to Assembly-----	302
10 In Senate, to committee, 825; from committee, 1646; read 1788; adopted, to Assembly-----	1789
14 In Senate, to committee, 413; from committee without recommendation-----	2339
15 In Senate, to committee, 1704; from committee, 2041; read, 2143; adopted, to Assembly-----	2144
16 In Senate, to committee, 2250; from committee, read, 2289; adopted, to Assembly-----	2290
17 In Senate, 2250; read, 2251; adopted, to Assembly-----	2252
18 In Senate, without reference to committee, read, adopted, to Assembly-----	2316
JOINT RESOLUTIONS, SENATE.	
No.	
1 Introduced, without reference to committee, adopted, to Assembly, 82; adopted, in Senate, to enrollment, 87; to Governor-----	131
2 Introduced, without reference to committee, 213; adopted, to Assembly, 214; adopted, to Senate, to enrollment, 286; to Governor-----	333
3 Introduced, without reference to committee, 300; adopted, to Assembly, 301; adopted, in Senate, to enrollment, 332; to Governor-----	333
4 Introduced, without reference to committee, adopted, to Assembly, 302; adopted, in Senate, to enrollment, 332; to Governor-----	333
5 Introduced, without reference to committee, adopted, to Assembly, 303; adopted, in Senate, to enrollment, 332; to Governor-----	333
6 Introduced, without reference to committee, 303; adopted, to Assembly, 304; adopted, in Senate, to enrollment, 332; to Governor-----	333
7 Introduced, without reference to committee, adopted, to Assembly, 304; adopted, in Senate, to enrollment, 332; to Governor-----	333
8 Introduced and referred to committee, 328; from committee without recommendation-----	2339
9 Introduced, without reference to committee, 351; adopted, to Assembly, 352; adopted, in Senate, to enrollment, 363; to Governor-----	391
10 Introduced and referred to committee, 440; from committee, 1801; read, amended, 1857; read, 1948; adopted, to Assembly-----	1949
11 Introduced and referred to committee, 569; from committee, 1248; read, adopted, to Assembly, 1326; adopted as amended, in Senate, 2272; Senate concurs in Assembly amendments, to enrollment, 2273; to Governor-----	2322
12 Introduced and referred to committee, 580; from committee, 1248; read, amended, 1276; adopted, to Assembly, 1333; adopted, 1503; in Senate, to enrollment, 1504; to Governor-----	1562
JOINT RULES. Introduced-----	252
JOURNALS. Approval of-----	334, 1117, 1612
JUDGES.	
Salaries of-----	78, 105, 189, 192, 216, 279
Increasing number of-----	110, 1764
Expenses of-----	177, 191, 276
Providing extra compensation for-----	191
Relating to powers, charging juries-----	216
Duties in trial of criminal cases-----	232
Relating to disqualification of-----	318
Salary of superior judge in Santa Cruz County-----	325
Salary of superior judge in Santa Clara County-----	336
Relating to salaries of-----	1104
JUDGMENT. Pronouncement of-----	231

<b>JUDICIAL COUNCIL.</b>		<b>PAGE</b>
Relating to support of	-----	191
Providing for compensation and expenses	-----	335
Report of	-----	1764
<b>JUDICIAL DEPARTMENT.</b> Relating to	-----	1116
<b>JUDICIAL NOTICE.</b> Relating to	-----	195
<b>JUNIOR COLLEGE DISTRICTS.</b>		
Relating to organization of	-----	220
Amending	-----	239
<b>JURIES.</b> Relating to charging of	-----	232
<b>JURORS.</b>		
Fees of	-----	149
Qualifications and exemptions of	-----	178
Relating to duties at inquests	-----	192
Relative to compelling attendance of	-----	192
Compensation of, in counties of third class	-----	199
Relating to alternate	-----	231
In counties of first class, selection of	-----	324, 325
<b>JURY COMMISSIONERS.</b> Where no secretary of judges, superior court	-----	313
<b>JUSTICE.</b> Offenses against	-----	234
<b>JUSTICES.</b>		
Relating to salaries of Supreme Court	-----	188, 216
Relating to salaries of district courts of appeal	-----	189, 216
Providing extra compensation of	-----	191
Expenses of	-----	191, 276
Relating to	-----	1104
<b>JUSTICES COURTS.</b>		
Add new section to C. C. P. 925a	-----	80
Trials in	-----	141
Relating to jurisdiction of	-----	246
<b>JUVENILE COURT LAW.</b>		
Amending	-----	148, 181, 243, 1787
Salary of probation officer	-----	172
<b>JUVENILE DELINQUENCY.</b> Creating commission on	-----	180
<b>KELLEY, EDWARD J.</b> To pay claim of	-----	283
<b>KERRIGAN, P. H.</b> To pay claim of	-----	222
<b>KITTRELLE, RICHARD.</b> to pay claim of	-----	307
<b>LABOR.</b> Investigation of convict	-----	1935
<b>LABOR COUNCIL, SAN FRANCISCO.</b> Petition from	-----	369
<b>LA JOLLA BEACH AND YACHT CLUB.</b> Granting easement to	-----	276
<b>LAND VALUE INSURANCE CORPORATIONS.</b> Relating to	-----	318
<b>LANES.</b>		
Grading of	-----	172
Changing grade of	-----	186
<b>LAW.</b> Organizing of the State bar	-----	79
<b>LEGALITY OF BILL.</b> Relative to Assembly Bill No. 1206	-----	568
<b>LEGISLATIVE BALL.</b> Report of	-----	866
<b>LEGISLATIVE CHAMBERS.</b> Refurnishing and repair of	-----	1933
<b>LEGISLATIVE COMMITTEE.</b> To pay expenses of	-----	641
<b>LEGISLATIVE DISTRICTS.</b> Divisions of State into	-----	247
<b>LEGISLATIVE MANUAL.</b> Relating to	-----	1745
<b>LEGISLATURE.</b> Expenses of	-----	171
<b>LETTERS OF ADMINISTRATION.</b>		
To whom may be granted	-----	246, 247
Relating to revocation of	-----	246
<b>LEVEE DISTRICTS.</b> Relating to dissolution of	-----	568
<b>LEVY OF WRITS OF ATTACHMENT.</b> Amend section 2969 C. C.	-----	81
<b>LIABILITY FOR DAMAGES.</b> Resulting from defects in public property	-----	279
<b>LICENSE FEE FOR TRANSPORTATION.</b> Repealing act	-----	315
<b>LICENSES.</b>		
Relating to fraudulent procuring of	-----	277
To act as real estate brokers	-----	314
<b>LICENSE TAXES.</b> Relative to imposition of	-----	179

<b>LIENS.</b>	<b>PAGE</b>
On logs and lumber	139
On land, for public improvement	177
On property of transportation companies	178
Of laborers on logs and timber	193
Sale of property by holder	199
<b>LIENS OF JUDGMENTS.</b> Relating to	248
<b>LIEUTENANT GOVERNOR.</b>	
Relating to vote on Senate Bill No. 896	2250
Relating to vote on Senate Bill No. 897	2288
<b>LIFE INSURANCE.</b> Contracts by minors	198
<b>LIFE INSURANCE ASSOCIATIONS.</b>	
Relating to remuneration for solicitations of applications	320
Manner of doing business in State	323
<b>LIMITED PARTNERSHIPS.</b> Making laws uniform	312
<b>LIQUORS.</b> Regulating traffic therein	187
<b>LIVE STOCK.</b> Transportation on railroads	140
<b>LOBBYIST.</b> Protest against	1790
<b>LODI.</b> Petition from district chamber of commerce	1351
<b>LOS ANGELES.</b>	
Approving eleven amendments to charter of	134
Granting of tide and submerged lands to	150
Relating to salaries of superior court judges	189
Providing for nautical school at port of	328
<b>LOS ANGELES COUNTY FLOOD CONTROL ACT.</b> Amending	309, 319, 320
<b>LOS ANGELES METROPOLITAN HIGHWAY DISTRICT.</b> Creating	319
<b>MacDONALD, JOHN T.</b> Resolution in memory of	20
<b>MACHINE GUNS.</b> Possession, sale, use of	265
<b>MAD RIVER.</b> Protection from erosion	147
<b>MALADJUSTED CHILDREN.</b> Relating to	180
<b>MAPS.</b>	
Relating to defects in	188
Relating to recording of	284
Relating to offering lots for sale	307
Relating to assessment by reference to	307
Numbering parcels on	307
<b>MARDI GRAS, SAN FRANCISCO.</b> Relative to a king for	344
<b>MARIPOSA.</b> Highway to	141
<b>MATTRESSES.</b> The making of	147
<b>McCLOUD RIVER.</b> Protection of	300
<b>McLAUGHLIN, CHARLES E.</b>	
Appointed member State Board of Prison Directors	84, 101
<b>McPHERSON, AIMEE.</b> Expenditure in case of	217
<b>MEDICAL PRACTICE ACT.</b> Amending	203
<b>MEEK, BERT B.</b> Appointed member of State Board of Prison Directors	84, 101
<b>MEN'S BIBLE CLASS, ORANGE COUNTY.</b> Petition from	597
<b>MESSAGES FROM GOVERNOR.</b>	
Second biennial message	21
Colorado River	81
Budget	206
Recommending passage Assembly Bill No. 142	260
Recommending passage Assembly Bill No. 268	261
Recommending passage Senate Bill No. 144	266
Appointing harbor commissioners	344
Recommending passage Assembly Bill Nos. 962-969	354
Recommending passage Assembly Bill No. 970	361
Return Senate Bill No. 202 without approval	1112
Return Senate Bill No. 221 without approval	1265
Relating to revenue and taxation	1327
Return Senate Bill No. 323 without approval	1400
Return Senate Bill No. 134 without approval	1400
Recommending Assembly Bill No. 1187	1604
Recommending Assembly Bill No. 1204	1604
Return Senate Bill No. 469 without approval	1854
Return Senate Bill No. 585 without approval	1854
Relating to explanation of bills by authors	2034



MESSAGES FROM GOVERNOR—Continued.	PAGE
Return Senate Bill No. 475 without approval	1964
Relating to Sacramento-San Joaquin Drainage District	1969
Return Senate Bill No. 601 without approval	2150
MIGRATORY WATERFOWL.	
Preservation of, and penalties for violation of act	286
MILEAGE.	
Amounts due Senators	86
Deficiency in appropriation	100
MINERAL LANDS. Amending act	322
MINORITY REPORT. By Senator Chamberlin	2313
MINORS.	
Disaffirmance of contracts by	198
Adjustment schools for	311
MINUTE CLERK OF SENATE. Harold J. Powers elected	9
MINUTES. Approval of	2363
MISSION BAY. Reserving certain lands	111
MISSISSIPPI FLOOD. Relating to aiding victims of	2172
MONEY PAID OR COLLECTED UNDER UNCONSTITUTIONAL LAW.	
Authorizing repayment of	248
MONEY WHEN FORFEITED. Disposition of	311
MORENO ARMADA FARM CENTER. Petition of	288
MOTHER LODE. Highway to	141
MOTOR VEHICLE FUELS.	
Regulating business of producing	78
Amending act	316
MOUNT DIABLO PARK. Appropriation for purchase of lands for	338
MUNICIPAL CORPORATIONS.	
Authorizing sale of lands, use of funds	199, 316
Relating to advertising by	221
MUNICIPAL COURTS.	
Recovery of costs in	100
Relating to salaries and expenses	221
Relating to appeals from	314
Relating to	1104
MUNICIPAL ELECTIONS. Regulating	81
MUNICIPAL SECURITIES. Defaced or mutilated	283
MUNICIPAL UTILITY DISTRICTS. Organization of	132, 133
MURDER.	
Punishment for	78, 138, 235
Relating to second degree	175
MURRAY, A. C., ASSEMBLYMAN. Adjournment out of respect of	7
MUTUAL BENEFIT ASSOCIATIONS.	
Relating to remuneration for soliciting applications	320
Manner of doing business in State	323
NARCOTIC ADDICTS. Relating to care of	229
NARCOTIC DRUGS. Suppression of traffic in	440
NATIONAL STATUARY HALL. Statues for	328, 330
NEEDY BLIND.	
Relating to relief funds	173
Duties of boards of supervisors	173
State department for	173
Separate classes in public schools	174
Kindergarten service for	174
Vocational training	174
NEUMILLER, CHARLES L.	
Appointed member State Board of Prison Directors	84, 101
NEWSPAPERS. Relating to	336
NOLAN, JOSEPH F. Elected Sergeant-at-Arms	9
NONPROFIT. COOPERATIVE ASSOCIATIONS.	
Relating to agricultural, viticultural, horticultural	177
NOTARIES PUBLIC. In counties of second class	268
NOTIFICATION COMMITTEE. Appointed	10, 11, 20
NOXIOUS WEEDS. Abatement of	174

NUISANCES.	PAGE
Noxious weeds, abatement of .....	174
Declaring public .....	221
Relating to gambling .....	316
NURSES. Conduct of training schools for .....	337
OAKLAND.	
Relating to charter of .....	112
Release of lands claimed by State .....	305
Petition from city of .....	782
OATH OF OFFICE.	
By Senators-elect .....	5, 7
By officers-elect .....	10
OFFENSES.	
Adding new section to Penal Code .....	192
Relating to two or more .....	234
OFFICERS. Chief narcotic enforcement .....	173
OFFICERS OF WORLD WAR. Retirement pay for emergency .....	351
OFFICIAL BONDS. Providing for payment of .....	243
OLYMPIAD. Relating to .....	776
ONTARIO. Relating to highway .....	138
OPERATOR LICENSE FEES. Relating to .....	147
OPTOMETRY. Regulating practice of .....	327
ORANGE COMMUNITY CHAMBER OF COMMERCE. Petition from .....	441
ORANGE COUNTY BOARD OF SUPERVISORS. Petition from .....	523
ORANGE COUNTY HARBOR. Petition relative to appropriation for .....	379
ORDER OF ADMINISTRATION. Relating to .....	247
ORDINANCES. Passage of .....	194
PACIFIC GROVE. Charter of .....	1691
PALO VERDE IRRIGATION DISTRICT ACT. Amending .....	147
PARK BONDS ACT. Validating .....	1927
PARKS.	
Relating to defraying expenses of .....	198
Authorizing sale by municipal corporations .....	199, 316
Providing for .....	312
PARTNERSHIP LAW. Making uniform .....	312
PARTY OF INTEREST. Relating to decedents and incompetents .....	214
PASADENA. Charter of .....	112
PASSAGE OF ORDINANCES. Building construction, etc. ....	194
PEACE OFFICERS.	
Relating to .....	139
Who are .....	314
PENAL INSTITUTION FOR WOMEN.	
Providing for selection of site for .....	238
Establishing separate .....	323
PEREMPTORY CHARGES. Number of .....	232
PERMANENT ROAD DIVISIONS. Relating to .....	309
PERSONS ACCUSED OF CRIME. Relating to rights of .....	217
PHARMACY.	
Chief narcotic enforcement officer .....	173
Amending act .....	178
Relating to ownership of pharmacies .....	178
Regulating practice of .....	317
Registered pharmacists, licentiates of .....	407
PIEDMONT. Charter of .....	145
PLACE OF TRIAL. When county, city, city and county is party .....	276
PLACER COUNTY, BOARD OF SUPERVISORS. Petition from .....	1512
PLACES.	
Grading of .....	172
Changing of grade .....	186
PLANNING BOARDS. Establishing .....	277
PLANNING COMMISSIONS. Regional and county .....	278
PLATS. Relating to defects in .....	188

	PAGE
PLEA OF GUILTY. How put in and withdrawn .....	80
PLUMBING. Providing for examination and licensing of plumbers.....	247
POINT OF ORDER.	
By Senator Fellom.....	396
By Senator Lyon.....	523
POISONS. Sale and use of.....	139, 218, 1713
POLICE COURTS. Amending act.....	265
POLICE INSURANCE. Amending .....	251
POMONA. Relating to highway.....	138
POMONA CHURCHES. Petition from.....	381
POMONA VALLEY POULTRY BREEDER'S ASSOCIATION. Petition of.....	288
POWERS, HAROLD J.	
Elected minute clerk.....	9
Directed to resume office.....	342
POWERS OF SUPERVISORS. Respecting roads.....	322
POWERS, REMEDIAL. Relating to appellate courts.....	204
PRACTICE OF DENTISTRY. Regulating.....	243
PRACTICE OF OPTOMETRY. Regulating.....	327
PRACTICE OF PHARMACY.	
Regulating .....	317
Registered pharmacists, licentiates.....	407
PREDELINQUENT CHILDREN. Relating to .....	180
PRELIMINARY EXAMINATIONS.	
Relating to time allowed for completion.....	234
Relating to postponement of.....	234
PREMIUMS TO EXHIBITORS OF LIVE STOCK.	
In First Agricultural District.....	248
In Sixth Agricultural District.....	248
PRESIDENT PRO TEMPORE. Election of.....	8
PRESUMPTION OF INNOCENCE. Relating to charging juries.....	232
PRIMARY ELECTIONS. Regulating .....	103, 141, 145
PRINTING OF AMENDED BILLS. Statement by Senator Taylor.....	67
PRIOR CONVICTIONS.	
Adding punishment because of.....	234
Pleading of .....	235
PRISON LABOR. On roads.....	485
PROBATION.	
Appointing committees .....	148
After plea of guilty verdict.....	279
PROBATION OFFICERS.	
Salaries in counties, fifteenth class.....	280
Relating to .....	306, 407
Salaries in counties, twenty-fourth class.....	315
PROFESSIONAL BONDSMEN. Requiring reports of statements.....	308
PRONOUNCEMENT OF JUDGMENT. Relating to time for.....	231
PROPERTY OF DECEDENTS.	
Succession to .....	131
Settlement of estates .....	131
Execution of mortgages and trust deeds.....	179
Relating to partial distribution of.....	314
PROPERTY OF PERSONS UNDER GUARDIANSHIP.	
Authority to execute mortgages and deeds of trust of.....	179
PROPOSED PUBLIC BUILDING PROJECTS. Analysis of report on.....	625
PSYCHIC AND METAPSYCHIC. Providing penalties.....	150
PSYCHOPATHIC CHILDREN. Relating to.....	180
PUBLICATION OF NAMES. In connection with certain crimes.....	283
PUBLIC CHARITIES.	
Regulating .....	221
Filing of reports with board of control.....	228
PUBLIC CONTRACTS. Preference on .....	98
PUBLIC CREDIT. Relating to giving or lending of.....	270
PUBLIC HEALTH NURSES. Employment of .....	577

<b>PUBLIC IMPROVEMENTS.</b>	PAGE
Amending act .....	176
Liens on land for .....	177
<b>PUBLIC OFFICERS.</b> Relating to liability in damage of .....	872
<b>PUBLIC SCHOOLS.</b>	
Separate classes for blind .....	174
Vocational training for blind .....	174
Religious instruction .....	174
Computation of time .....	175
Sectarian books, teaching in .....	175
Creating commission to codify law relating to .....	175
Salaries of teachers .....	177
Relating to buildings for employees .....	180
Relating to supplies .....	186
<b>PUBLIC TAXES.</b> Relating to .....	193
<b>PUBLIC UTILITIES.</b>	
Railroad commission, duties and powers of .....	171
Amending act .....	176, 189
Adding section 77a to act .....	189
<b>PUBLIC WEIGHMASTER.</b> Relating to products sold in sacks .....	309
<b>PUBLIC WORKS.</b>	
Installation of .....	132
Amending act .....	176
<b>PULLMAN SLEEPERS.</b> Prohibiting surcharge and surtax on .....	204
<b>QUESTION PERSONAL PRIVILEGE.</b>	
By Senator Fellom .....	1353
By Senator Young .....	1790
<b>RAILROAD COMMISSION.</b>	
Organization of .....	171
Amending constitution .....	198
Relating to election of .....	216
Amending act .....	263, 275, 318
Relating to definitions .....	326
Relating to corporations .....	327
Location of offices of .....	335
Adding two sections to act .....	641
<b>RAILROAD COMPANIES.</b>	
Relating to employees losses .....	148
Safety of employees .....	148, 269
Safety of travelers .....	148, 269
Providing watches for employees .....	171
Relating to health of employees .....	172
Regulating length of trains .....	189
Prohibiting collection of surcharge .....	203
Relating to sale of property and franchises .....	278
<b>RAILWAY CROSSINGS.</b>	
Stopping at .....	150
Providing for .....	220
Relating to .....	224
State funds to defray cost of .....	274
Appropriation for .....	328
<b>RAIS, VINA.</b> To pay the claim of .....	268
<b>REAL AND PERSONAL PROPERTY.</b> Relating to manner of attachment .....	246
<b>REAL ESTATE.</b> Brokers' and salesmen's licenses .....	193
<b>REAL ESTATE DEPARTMENT.</b> Creation of State .....	193
<b>REAL PROPERTY.</b> Trusts on .....	314
<b>REASONABLE DOUBT.</b> Relating to manner of charging juries .....	232
<b>RECOMMENDATION BY PRESIDENT.</b>	
Relating to vote on Senate Bill No. 896 .....	2250
Relating to vote on Senate Bill No. 897 .....	2288
<b>RECORD OF SURVEY.</b> Relating to recordation of .....	313
<b>REDEMPTION OF PROPERTY.</b>	
Taxes, nonpayment of .....	190
From sales to State for .....	228
<b>REFURNISHING LEGISLATIVE CHAMBERS.</b> Relating to .....	1933
<b>REGISTRATION OF DEATHS.</b> Amending act .....	192



	Page
RELEASE FROM INSTITUTIONS FOR INSANE. Relating to .....	232
RELIEF FUNDS. For needy blind.....	173
RELIGIOUS CORPORATIONS. Relating to granting of easements by ..	312
RELIGIOUS INSTRUCTION.	
Release of pupils for.....	174
Sectarian books, teachings in schools.....	175
Petitions for .....	348, 368
REMEDIAL POWERS. Of appellate courts.....	204
RESTRAINTS. Upon alienation .....	219
REVENUE AND TAXATION.	
Providing for investigation and report on.....	180
Amending constitution .....	302
REVISION OF CRIMINAL LAW AND PROCEDURE.	
Increasing membership .....	88
RICHARDSON, GOVERNOR. Budget message .....	206
RIGHTS OF WAY. Granting of.....	172
RIO VISTA. Repaving highway .....	147
RIVERS. Relating to flood control.....	190
RIVERSIDE CHAMBER OF COMMERCE.	
Petition from .....	1105, 1106
RIVERSIDE, COUNTY OF. Relating to salaries of judges.....	192
RODENTS. Public nuisance .....	81
ROLL CALL. Rules of procedure.....	78
ROOT, GEORGE W. To pay claim of.....	278
RULES.	
Adoption of temporary.....	11
Proposed standing .....	70
Adoption as permanent.....	88
Motion to amend.....	99
Motion to adopt .....	119
Proposed amendment adopted.....	1543
SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT.	
Relating to .....	666
Message from Governor.....	1969
SACRAMENTO POLICE DEPARTMENT. Concerning traffic conditions ..	1854
SACRAMENTO RIVER.	
Relating to flood control of.....	190
Relative to reclamation.....	251
SAFETY OF AUDIENCES. Promoting.....	263
SALARIES.	
Of judges .....	78, 192
Probation officer, counties of fifty-sixth class.....	172
Officers, counties of fifty-sixth class.....	172
Of teachers .....	177
Of appointees not otherwise provided for.....	179
Employees of State Treasurer.....	180
Employees of district courts of appeal.....	188
Of horticultural commissioners.....	194
Of jurors in counties, third class.....	199
SALE OF PREMIUM NOTES. Prior to delivery of policy thereof.....	311
SALE OF PROPERTY BY LIEN HOLDER. Providing for.....	199
SALES.	
Conditional .....	228
Of personal property .....	926
SALESMEN, REAL ESTATE. License of .....	193
SAN BERNARDINO. Amending charter.....	85, 186
SAN BERNARDINO, COUNTY OF. Reserving certain lands.....	269
SAN DIMAS FRUIT EXCHANGE. Relating to white fly.....	137
SAN FRANCISCO.	
Approving certain amendments.....	100
Concerning the water front.....	111
Repair State armory .....	174
Relating to salaries of superior court judges.....	189
Petition from board of supervisors.....	577
Relating to harbor improvement funds.....	781

<b>SAN JACINTO VALLEY CONSERVATION DISTRICT ACT.</b>	<b>PAGE</b>
Creating district for developing electrical power.....	251
<b>SAN JOAQUIN RIVER.</b>	
Relating to flood control of.....	190
Rectification of channel of.....	465
<b>SAN JOSE STATE TEACHERS COLLEGE.</b> Appropriation for buildings.....	337
<b>SAN MATEO.</b> Salaries of judges in county of.....	279
<b>SANTA ANA COOPERATIVE INVESTIGATION.</b> Report on.....	1614
<b>SANTA ANA RIVER SYSTEM.</b>	
Providing for conservation of waters.....	268
Providing for survey of works.....	1548
Providing for watershed.....	1548
<b>SANTA BARBARA.</b> Approving charter of.....	150, 181
<b>SANTA CLARA.</b> Approving charter of.....	236
<b>SANTA CLARA, COUNTY OF.</b> Salaries of superior court judges.....	336
<b>SANTA CRUZ COUNTY.</b> Construction of highway.....	97
<b>SANTA MONICA.</b> Amending charter of.....	1394
<b>SANTA ROSA.</b> Amending charter of city of.....	956, 1490
<b>SCHOOL BOARDS.</b> Relating to powers and duties of.....	336
<b>SCHOOL BUDGETS.</b> Relating to filing of.....	220
<b>SCHOOL DISTRICTS.</b>	
Relating to governing boards of.....	249
Relating to unpaid demands against.....	265
Relating to exclusion of.....	318
<b>SCHOOL PROPERTY.</b>	
Sale of.....	139
Relating to building on.....	180
<b>SCHOOLS.</b>	
Separate classes for blind.....	174
Vocational training for blind.....	174
Relating to religious instruction.....	174
Relating to computation of time.....	175
Sectarian books, teaching in.....	175
Creating commission to codify laws.....	175
Salaries of teachers.....	177
Relating to buildings for employees.....	180
Relating to supplies.....	187
Relating to funds.....	220
Relating to health supervision of.....	243
Acquiring of land.....	243
Transportation of pupils.....	243
Relating to.....	246, 248
Relating to part-time classes.....	274
<b>SCHOOL SUPPLIES.</b> Sale by one district to another.....	187
<b>SCHOOL TERM.</b> Relating to length of.....	274
<b>SCHOOL WARRANTS.</b> Relating to.....	244
<b>SCREENS.</b> Over mill-races, irrigating ditches, etc.....	268
<b>SEALERS OF WEIGHTS AND MEASURES.</b> Relating to compensation of.....	335
<b>SEA LIONS.</b> Relating to taking of.....	268
<b>SECRETARY OF SENATE.</b>	
Joseph A. Beek elected.....	9
Appoints Albert Brady, Assistant Secretary.....	50
Authorized to purchase codes.....	108
Statement relative to vote.....	1217
<b>SECURITIES.</b> Sale of.....	80
<b>SENATE CHAMBER.</b> Refurnishing and repair of.....	1933
<b>SENATE RULES.</b> Proposed amendments to.....	546, 642
<b>SENATORS.</b>	
Hold over and elect.....	6
Administered oath of office.....	7
<b>SERGEANT-AT-ARMS.</b>	
Joseph F. Nolan elected.....	9
Appointments by.....	19
Authorized to receipt to Controller.....	97
<b>SERVICE OF SUMMONS.</b> Relating to.....	247
<b>SETBACK LINES.</b> Providing for establishment along streets or highways.....	318

	PAGE
SEWERS. Maintenance and repair of .....	218
SHERIFFS.	
Relating to special fund for .....	172, 224
Identification expenses .....	1545
SIDEWALKS. Changing grade of .....	186
SLOANE, W. A. To pay claim of .....	323
SOLDIERS KILLED IN WORLD WAR. Monument to .....	317
SOLE TRADES. Relating to .....	311
SOLEDAD. Road survey to .....	97
SOUTH BASIN. Aiding commerce and navigation .....	271
SOUTHERN PACIFIC COMPANY. Communication from .....	1853
SOUTH OF MARKET BOYS. Invitation of .....	1756
SPANISH-AMERICAN WAR VETERANS. Department encampment of .....	352
SPECIAL COMMITTEE.	
Appointed to notify Assembly .....	11
Appointed to notify Governor, reconvened after constitutional recess .....	342
Appointed to notify Assembly, reconvened after constitutional recess .....	342
Appointed .....	343
SPECIAL VERDICTS. Relating to .....	231
SPEECHES. Limiting time for .....	1540
STANDARDS FOR FIELD CROP PRODUCTS. Establishing .....	227
STANDING COMMITTEE.	
Appointment of .....	118
List of .....	252
STANDING RULES. Adopted as temporary .....	11
STATE AID. Relating to expenditure of public money for .....	391
STATE ARMORY. Appropriation for repair, San Francisco .....	174
STATE BANKING DEPARTMENT. Location of office of .....	329
STATE BAR OF CALIFORNIA. Organization of .....	79
STATE BLUE BOOK. Relating to .....	1745
STATE BOARD OF ACCOUNTANCY.	
Issuance and suspension of certificates .....	192
STATE BOARD OF CONTROL. Right of way at Industrial Home .....	111
STATE BOARD OF COSMETOLOGY. Creating .....	131
STATE BOARD OF EDUCATION.	
Establishing department of school planning .....	223
STATE BOARD OF EQUALIZATION. Relating to salaries of .....	141
STATE BOARD OF HARBOR COMMISSIONERS.	
An act concerning the San Francisco water front .....	111
Relating to powers of .....	111, 175
STATE BOARD OF HEALTH.	
Amending act .....	188, 312
Relating to secretary and assistant of .....	196
STATE BOARD OF PRISON DIRECTORS. Relating to .....	217
STATE BOARD OF VOCATIONAL EDUCATION.	
Additional appropriation therefor .....	275
STATE COMPENSATION INSURANCE FUND.	
Relating to sale of insurance in .....	259
STATE DEPARTMENT OF MINERAL RESOURCES. Establishing .....	284, 285
STATE DEPARTMENT OF PUBLIC WELFARE.	
Relating to .....	132
Powers and duties of .....	275, 286
STATE DIRECTOR OF AGRICULTURE.	
Shipping and sale of Capri figs .....	175
STATE EDUCATIONAL OFFICES. Relating to .....	331
STATE ENGINEER. Relating to report of .....	291
STATE FINANCES. Address by Senator H. C. Jones .....	104
STATE FIRE PREVENTION SURVEY. Creating .....	250
STATE FISH AND GAME COMMISSION.	
Relating to destruction of certain fish .....	279
STATE FORESTER. Relating to protection of hazardous fire area .....	271
STATE HIGHWAY BONDS. Relating to .....	97

STATE HIGHWAY COMMISSION. Relating to powers of.....	228
STATE HIGHWAYS.	
Declaring .....	172, 175, 248, 251,
Relating to rights of way and construction of.....	307
In county of Monterey.....	258
STATE HOUSING ACT. Amending.....	315
STATE LANDS. Relating to national parks.....	268
STATE LIBRARIAN. Relating to salary of.....	309
STATE MEDICAL PRACTICE ACT.	
Amending .....	312
Relating to licenses .....	203
Recognition of certificates.....	221
Relating to violations of.....	222
STATE MINING BUREAU. Location of offices, museum, library, laboratory	334
STATE OF IDAHO. Communication from.....	1666
STATE PARK BONDS ACT. Validating .....	1927
STATE PARK COMMISSION.	
Authorizing receiving of gifts by.....	240
Appropriation for survey.....	240
Creation of .....	240
Issuance of bonds for lands.....	240
STATE PRISON, In southern counties, establishment of.....	282
STATE REAL ESTATE DEPARTMENT. Creation of.....	193
STATE SUPERINTENDENT OF WEIGHTS AND MEASURES.	
Creating office of.....	146
STATE TREASURER.	
Salaries of employees of.....	180
Duties of .....	283
STATE WATER COMMISSION. Creation of.....	610
STATISTICS, VITAL.	
Relating to preservation of.....	149
Amending act .....	191, 338,
Relating to registration of deaths.....	385
STATUES, HALL OF FAME. Appropriating money for.....	192
STATUTES.	
Relating to time of taking effect.....	308
Relating to revision of .....	336
STATUTORY OFFICERS. Directed to resume duties.....	1340
STAY OF EXECUTION. Relating to.....	342
STOCKHOLDERS AND DIRECTORS. Relating to liability of.....	231
STOCKING, LEONARD. Communication .....	216,
STOCKS AND BONDS. Relating to.....	249
STOCKS, SHARES IN CORPORATIONS, TRANSFERS OF.	
Relating to uniformity of laws.....	1258
STOCKTON.	
Relating to approval of charter.....	268
Petition from chamber of commerce.....	176
STOPPING PAYMENT OF CHECKS.	
Relating to .....	325,
Damage caused by payment of check ordered stopped.....	326
Relating to actions.....	327
STREET IMPROVEMENT. Relating to revision and reform of.....	172
STREET LIGHTING SYSTEMS. Relating to.....	186
STREET OPENING ACT. Validating proceedings under.....	220, 249,
STREETS.	
Grading of .....	225
Changing of grade.....	250
Improvements .....	269
Plans and specifications .....	326
Acquisition of rights of way and improvements.....	327
Objections to improvements.....	172
Filing of bond by contractor.....	172
Amending act .....	355
SUBTERRANEAN WAYS. Grading of.....	
SUBWAYS. Grading of .....	
SUISUN BAY CHANNEL. Appropriation to be used in deepening.....	



	PAGE
SUPERINTENDENT OF PUBLIC INSTRUCTION. Relating to duties of	307
SUPERIOR COURTS.	
Relating to salaries of judges	189, 336
Salaries of judges, Riverside county	192
Relating to	249, 1349
By judges of other counties	318
Relating to jurisdiction of	318
Increase of judges of	1264
SUPREME COURT.	
Salaries of officers of	103, 228
Salaries of justices of	188
Jurisdiction of	217
Compensation, officers, employees and expenses	336
SURCHARGE ON CHAIR CAR FARES.	
Prohibiting collection of	204
Relating to elimination of	302
SURCHARGE ON PULLMAN SLEEPERS.	
Prohibiting collection of	204
Relating to elimination of	302
SURPLUS MONIES IN BANKS. Investment and reinvestment of	
	133
SURTAX ON CHAIR CAR FARES.	
Prohibiting collection of	204
Relating to elimination of	302
SURTAX ON PULLMAN SLEEPERS.	
Prohibiting collection of	204
Relating to elimination of	302
SURVEY.	
Duties of county officers of	218
Relating to records of	313
SURVEYOR GENERAL.	
Biennial report of	117
Relating to leasing of tidelands	2249
SURVEYORS OF COUNTIES. Relating to duties of	
	218
TAXABLE PROPERTY. Relating to appraisal of	
	271
TAXATION AND REVENUE. Relating to investigation and report on	
	180
TAX COLLECTORS.	
Providing for duties of	218
Relating to duties of	218
TAXES.	
Relative to license	179
Relative to investigation and report on revenues and	180
Redemption of property sold for nonpayment of	190
Relating to public	193
Relating to levy of	220
Collection of property	283
Apportionment of high school	307
Erroneously collected, refund of	1545
TAXES ON COLLATERAL, INHERITANCES AND DEVISES.	
Repealing act	324
TAYLOR, CADET. Communication from	
	1662
TEACHERS.	
Salaries of	177
Relating to retirement fund of	221
Relating to public school	312
TELEPHONE AND TELEGRAPH WIRES. Fraudulent connection with	
	325
TERMS OF IMPRISONMENT. Relating to	
	196
TESTIMONY. Transcripts of	
	234
THEFT.	
Defining	235
Prescribing punishment for	235
TIDELANDS.	
Relating to	197
Relating to lease of	2249
TIMBER. Relating to laborers' liens on	
	194
TIME ALLOWED DEFENDANT TO PREPARE FOR TRIAL.	
Relating to	232

<b>TOLL BRIDGES.</b>	PAGE
Relating to .....	307
Corporations organized to construct .....	317
Extension of franchises by boards of supervisors .....	486
<b>TOWNE, PERCY E. To pay claim of .....</b>	<b>249</b>
<b>TOWNSHIP OFFICERS.</b>	
Salaries of .....	248
Absence of .....	282
<b>TOWN TRUSTEES. License taxes .....</b>	<b>179</b>
<b>TRADE AND COMMERCE. Trusts and combinations in restraint of .....</b>	<b>180</b>
<b>TRAFFIC IN HUMAN BODIES. Preventing unauthorized .....</b>	<b>371</b>
<b>TRAFFIC SITUATION. Appointment of joint committee for study of .....</b>	<b>283, 1433</b>
<b>TRANSCRIPTS OF TESTIMONY. Filing and delivery .....</b>	<b>234</b>
<b>TRANSFERS, STOCKS AND SHARES IN CORPORATIONS.</b>	
Relating to uniformity of laws .....	176
<b>TRANSPORTATION COMPANIES.</b>	
Relating to assuming obligations by .....	177
Mortgages and liens on property of .....	177
Conferring jurisdiction .....	178
Reparation against .....	178
<b>TRAVELERS. Safety of, on railroads .....</b>	<b>148, 189</b>
<b>TREASURER, STATE. Salaries of employees of .....</b>	<b>180</b>
<b>TRESPASS. Relating to .....</b>	<b>246</b>
<b>TRIALS.</b>	
In justices' courts .....	141
By jury .....	216
And continuations, relating to .....	229
Relating to criminal cases .....	234
<b>TRUE NAME BILL. Registering under name other than own .....</b>	<b>324</b>
<b>TRUSTS.</b>	
Purposes for which created .....	313
On real property .....	314
<b>TUNNELS. Grading of .....</b>	<b>172</b>
<b>TWENTY-ONE YEARS AFTER. Celebration at San Francisco .....</b>	<b>1756</b>
<b>TWO OR MORE OFFENSES. Relating to punishment for .....</b>	<b>234</b>
<b>UNAPPROPRIATED WATERS. Disposition of by State .....</b>	<b>578</b>
<b>UNIFORM LAWS.</b>	
Transfers, stocks and shares in corporations .....	176
Aeronautics .....	177
Creation of .....	177
Creating commission on .....	177
Powers of commission on .....	177
Relating to limited partnerships .....	312
<b>UNITED CHURCH BROTHERHOOD. Petition from .....</b>	<b>381</b>
<b>UNITED STATES. Congressional reapportionment of .....</b>	<b>1341</b>
<b>UNIVERSITY OF CALIFORNIA. Appropriation for .....</b>	<b>278</b>
<b>UPHOLSTERED FURNITURE. Regulating manufacture of .....</b>	<b>222</b>
<b>USE OF SENATE CHAMBER.</b>	
For public hearing on Revision of Criminal Law and Procedure .....	380
For Committee on Public Health and Quarantine .....	908
For Committee on Agriculture and Live Stock .....	1334
<b>USURY LAW. Amending .....</b>	<b>266</b>
<b>UTILITIES.</b>	
Railroad commission, duties and powers of .....	171
Amending act .....	176
<b>UTILITY DISTRICTS. Organization of .....</b>	<b>132</b>
<b>VAGRANCY. Defining and punishing .....</b>	<b>88</b>
<b>VEHICLE ACT.</b>	
Amending .....	97
Operator's license fees .....	147
Identification of automobiles .....	187, 306
<b>VETERANS' WELFARE BOARD. Amending .....</b>	<b>149</b>
<b>VETO. Senate Bill No. 1 .....</b>	<b>140</b>
<b>VIADUCTS. Grading of .....</b>	<b>172</b>

<b>VITAL STATISTICS.</b>	<b>PAGE</b>
Relating to .....	179
Amending act .....	191, 338, 384
<b>VITICULTURAL ASSOCIATIONS.</b> Relating to nonprofit, cooperative.....	177
<b>VOTERS.</b> Illiterate and helpless.....	80
<b>VOTING.</b> Regulating .....	145
<b>VOTING MACHINES.</b> Installing electric in Senate and Assembly.....	83
<b>WALTON, EMMA.</b> Compensation of county officers.....	85
<b>WASTE, WILLIAM H.</b> Report from.....	1763
<b>WATER CONSERVATION.</b> Relating to .....	776
<b>WATER DISTRICTS.</b>	
Relating to organization, government.....	173
Relating to county.....	282
In Santa Clara County.....	283
Relating to county.....	578
<b>WATER PROBLEMS OF STATE.</b> Relating to investigation of .....	569
<b>WATER RESOURCES.</b>	
Relating to right of use by State.....	277
Report of joint committee on.....	444
Aid for development of.....	569
<b>WATERWORKS.</b> Installation of .....	132
<b>WATER WORKS DISTRICTS.</b> Relating to.....	244
<b>WEEDS.</b> Abatement of noxious.....	174
<b>WEIGHTS AND MEASURES.</b> Establishing a standard.....	146
<b>WELFARE OF THE DEAF.</b> For study, education, employment and general .....	322
<b>WHITE FLY.</b> Resolution concerning.....	100
<b>WHITTIER CHURCHES.</b> Petition from .....	381
<b>WHITTIER COUNCIL OF CHURCHES.</b> Petition from.....	381
<b>WILSON, REV. BRYANT.</b>	
Elected Chaplain .....	10
Directed to resume office.....	342
<b>WIPERS.</b> Automatic windshield .....	310
<b>WITNESSES.</b>	
Fees of .....	173
Relative to compelling attendance of .....	192
<b>WOMAN'S CLUB OF INDIO.</b> Petition from.....	742
<b>WOMAN'S TEN THOUSAND CLUB, EL CENTRO.</b> Petition from.....	1261
<b>WORKMEN'S COMPENSATION AND SAFETY ACT.</b>	
Amending .....	131, 279, 331
Relating to evidence.....	139
<b>WRITS OF ATTACHMENT.</b>	
Amending section, C. C. ....	81
Relating to .....	139
Add new section to C. C. P. ....	198
<b>YOUNG, GOVERNOR C. C.</b>	
Administered oath of office.....	57
Address by .....	57
Printing of address.....	69
Reception in honor of.....	118
Budget message .....	206





